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THE IRAQI-IRANIAN DISPUTE

Facts v. Allegations

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MINISTRY OF FOREIGN AFFAIRS
OF THE REPUBLIC OF IRAQ

PREFACE

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PREFACE

Iraq occupies the land of ancient Mesopotamia (between the two rivers). The area (171,000 sq. miles) includes the great depression between the desert on the west and the mountains on the north and northwest, and is bounded by the Arabian Gulf and Kuwait on the south. In contrast to the mountains belt in the north, the alluvial plain of the twin rivers extends southward and forms the fertile basin known for its ancient civilizations.

Shatt-al-Arab River is formed by the confluence of the Tigris and Euphrates rivers. It extends from Qurna at the junction of the two rivers to Fao on the Arabian Gulf. The importance of Shatt-al-Arab as a navigable river is restricted to its lower reach from Basrah port to Fao. The total length of Shatt-al-Arab is about 123 miles with an average breadth of 600 yards and, at some points, the River widens to a mile. The lower part of the River along which the Iraqi-Iranian frontier descends is about 85 miles long. The river is Iraq's only access to the sea and it handles considerable trade and shipping.

The estimated amount of silt coming down the River annually is about half a million tons. These deposits would render the River useless without continuous dredging, which is effectively maintained by the Iraqi authorities.

As a small country, Iraq is determined to preserve its independence. To this end, it has adopted non-alignment as a cornerstone of its foreign policy.

Being a small and developing country, there is nothing Iraq wants more than peace. The peace Iraq desires is the one with full independence and non-interference in internal affairs.

The present armed conflict with Iran is not desired by Iraq. It was forced upon Iraq by Iran, and Iraq has to defend its territorial integrity in land and water, and its internal and external security.

The purpose of this document is to reply to the false allegations made by Khomeini's representatives at the United Nations. As will be seen from this document, what Khomeini claims to be a case of right against wrong is nothing but "wrong versus right".

New York October 1980

ALLEGATION

(1)

Iraq unilaterally abrogated the Agreement which requires the Parties in case of difference regarding interpretation and application to have recourse to negotiation, mediation, and arbitration involving the International Court of Justice, and according to a clear time table.

ON THE ALGIERS AGREEMENT 1975

FACTS

The Iranian allegations regarding the termination of the 1975 Algiers Agreement represent a twisted account of the facts and rules of law.

Iraq did not terminate the agreement first. The Government of the Republic of Iraq decided on September 17, 1980 "to consider the said agreement and those following, and based upon it, as terminated on the part of Iraq after Iran had terminated it by word and deed," and that "was done in accordance with paragraph (4) of the Algiers Agreement and Article (4) of the Treaty of International Frontiers and Good Neighbourliness, 1975, which was based on the said agreement." The Algiers Agreement represented a package deal the spirit of which was to arrive at a final and permanent solution to all existing problems between the two countries in application of the principles of territorial integrity, inviolability of frontiers, and non-interference in internal affairs. The elements of the package deal were: (1) definitive demarcation of land frontiers on the basis of the Protocol of Constantinople of 1913 and the Proceedings of the Delimitation Commission of 1914 established in accordance Therewith; (2) delimitation of the frontier in Shatt-Arab according to the Thalweg line; and (3) the establishment of reciprocal security and confidence along the common frontiers and the exercise of strict and effective control thereon for the purpose of the definite cessation of all acts of infiltrations of a subversive character no matter where they came from.

The Parties assumed all the above-mentioned obligations under one condition, namely that of paragraph (4) of the agreement which provided that the parties have also agreed to consider them as indivisible elements of a comprehensive solution and that any violation of any of them shall naturally be contrary to the spirit of the agreement.

ALLEGATION

Iraq unilaterally abrogated the Algiers Agreement, 1975. This is against Article 6 of the Agreement which requires the Parties in case of difference regarding interpretation and application to have recourse to negotiation, mediation, and arbitration involving even the International Court of Justice, and according to a clear time table.

Article (4) of the Treaty contained, in a more categorical thrust, the provisions of paragraph (4) of the Algiers Agreement. Article (6) thereof talked about the resolution of differences of opinion regarding the interpretation and application of the Treaty provisions. These two articles are mutually exclusive in the sense that the application of Article (5) pre-supposes the existence of the Treaty through the non-violation of any of its indivisible elements. Article (6) in other words only operated when the Treaty still exists, as when the Parties disagree on the interpretation or application of the technical details thereof. When Article (4) is violated, this means that the whole Treaty becomes non-existent. Any argument to the contrary makes the provisions of these two articles contradictory and impossible to apply. The continuous violations of the elements of the Treaty mentioned in Article (4) left Iraq with no Treaty to implement.

As a matter of fact, Iraq continued to remind Iran of its obligations under the 1975 Treaty until September 17, 1980. Iraq even officially asked Iran through its Embassy in Baghdad in a note dated June 27, 1979 to inform it officially of its position regarding the 1975 agreement. Iraq did not get any answer. The continuous reminders were not only met with continuous violations, but also insistence upon them which was made clear by the announcements of official Iranian circles that the agreement was suspect, that it did not meet Iran's interest, and that Iran did not consider itself bound by it.

It is important to note that Iraq has never claimed that the Algiers Agreement was imposed upon it. That Agreement was entered into freely and sincerely in the hope that it was going to be followed, and hence, having settled existing problems with Iran, Iraq could divert its attention to internal economic and social development. But unfortunately, the rulers of Iran, despite the cloak in which they have been trying to present themselves, again chose to revert back to old Persian policies of territorial expansion and hegemony. On its part, Iraq stood against such policies to defend its legitimate historical rights.

FACTS

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The Parties assumed all the above-mentioned obligations under one condition, namely that of paragraph (4) of the agreement which provided that the parties have also agreed to consider them as indivisible elements of a comprehensive solution and that any violation of any of them shall naturally be considered as contrary to the spirit of the agreement.

In this manner, the parties assumed their mutual obligations as a balance between political and juridical considerations, and this is the cardinal provision of the agreement.

Coming now to the allegation regarding the settlement of disputes contained in Article (6) of the Treaty of International Frontiers and Good Neighbourliness, 1975, it should be remembered that the Treaty represented the technical details of the Algiers Agreement. One should point out at once that Article (4) of the Treaty contained, in a more categorical thrust, the provisions of paragraph (4) of the Algiers Agreement. Article (6) thereof talked about the resolution of differences of opinion regarding the interpretation and application of the Treaty provisions. These two articles are mutually exclusive in the sense that the application of Article (6) pre-supposes the existence of the Treaty through the non-violation of any of its indivisible elements. Article (6) in other words only operated when the Treaty still exists, as when the Parties disagree on the interpretation or application of the technical details thereof. When Article (4) is violated, this means that the whole Treaty becomes non-existent. Any argument to the contrary makes the provisions of these two articles contradictory and impossible to apply. The continuous violations of the elements of the Treaty mentioned in Article (4) left Iraq with no Treaty to implement.

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FACTS

It is indeed a travesty of justice, and adding insult to injury to hear from Iranian representatives that Iran, in the Algiers Agreement, *not only gave Iraq security over its northern borders, but also a considerable part of Iranian territories. This is the highest form of deception and falsehood.* The political circumstances which led to the conclusion of the Algiers Agreement were amply demonstrated by the Foreign Minister of Iraq at the 35th session of the General Assembly on October 3, 1980. (See the text in the annex.) In that background, the Iranian allegation means that Iran has the right to support mor-

ALLEGATION

The Algiers Agreement, 1975, not only gave Iraq security over its northern borders but also considerable parts of Iranian territories.

Is such an attitude being in conformity with the Charter? As for the alleged territorial donation by Iran to Iraq, it is to be pointed out that Iraq's sovereign territory was not delimited in 1975. It is clearly marked by many international instruments which go far back to the nineteenth century. The Iranian allegation is nothing but another expression of the long established policy of successive Iranian regimes of non-recognition of binding territorial obligations through the same falsehood of showing Iran losing territory all the time, while the fact is otherwise. This has always been the case since 1520, and in connection with eighteen treaties to date.

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REPLY

ALLEGATION

Iraq followed the Nazi method of abrogating binding treaties then waging a war of annexation. Iraq is trying to annex some territory in Shatt-al-Arab.

REPLY

This slanderous charge against Iraq is beyond contempt. It is worthless and need not be answered as Iraq's policies and what it stands for are quite well-known.

In fact the contrary is true. Since 1520, Persia, later Iran, unilaterally terminated eighteen treaties including binding territorial arrangements, and almost always through waging war.

ALLEGATIONS

1. Since April 1980, Iraqi forces attacked numerous Iranian towns, villages, and border posts including Qasr Shirin.
2. The United Nations **ALLEGED IRAQI AGGRESSION** of the Definition of Aggression adopted by the General Assembly in resolution 3314 (XXIX) of December 14, 1974.
3. Iraqi aggression has been parallel to the return of the United States imperialism to the region.

REPLY

The allegation that Iraq committed aggression against Iran is yet another fantasy of the Iranian ruling circles, which falsifies the facts and ignores the legal nature of aggression.

The Foreign Minister of Iraq related to the General Assembly in his statement in the general debate on October 3, 1980 (for text, see Annex II), an account of Iranian violations to Iraq's territorial integrity and political independence contrary to the Charter of the United Nations and international law.

To mention now as an example, the number of Iranian violations for the period of June to September 1980 has reached 187 violations and military actions across the Iraqi frontiers against populated cities and villages, roads and border posts. Those armed violations became a daily routine for the conduct of Iranian military forces. On September 4, 1980 a dangerous turning point in the chain of these violations happened. The Iranian military forces used American made heavy artillery of 175 mm. calibre to shell the towns of Khanaqin and Mendili causing thereby severe damage both to life and property. It is worthy to mention that that concentrated bombardment was made from the area of Zain Al Qaws which is situated between frontier pillars (46) and (51) deep inside Iraq's territory. On the noon of September 7, 1980, the savage bombardment was committed again in the same manner. On that date the Chargé d'Affaires of the Iranian Embassy in Baghdad was called in to the Foreign Ministry and was delivered a note. In it, it was stated that the Iranian military units have encroached upon numerous areas of Iraqi territory as was the case inter alia in Zain Al Qaws, and the said encroachments have continued, contrary to the Frontiers Treaty of 1975 between the two countries. He was requested to convey to his Government that it should immediately end those encroachments. But the Iranian forces continued with its bombardments up to the night of

ALLEGATIONS

1. Since April 1980, Iraqi forces attacked numerous Iranian towns, villages, and border posts including Qasr Shirin.
2. The United Nations should look upon the Iraqi aggression within the framework of the Definition of Aggression adopted by the General Assembly in resolution 3314 (XXIX) of December 14, 1974.
3. Iraqi aggression has been parallel to the return of the United States imperialism to the region.

1. From observation to Iranian conduct and reactions, the Iraqi Government has reached various conclusions the prime of which was that due to the confusion in Iran and the disorderly structure and information sources of the Iranian State, the Iranian leadership, might not be aware of the fact that Iran has encroached upon Iraqi territories contrary to international law and past agreements between the two countries including the Algiers Agreement of 1975. If this is so, Iraq advises the Iranian leadership to ask the competent Iranian authorities responsible for matters of frontiers and agreements in order to make sure of Iraq's point of view, and henceforth, base its action on knowledge rather than myth.
2. The Iranian leadership should realize that striking at cities populated by civilians as it did in bombarding Khanaqin and Mendili is neither a simple matter nor a game of violence of the sort which the Iranian officials entertain themselves with at times inside Iran. Striking at Iraqi cities is considered a grave matter which should be avoided by Iran, if it has the wish not to have the relations between the two countries deteriorate dangerously. The rulers of Iran alone shall bear the responsibility of those aggressive actions before God, the Iranian peoples and world public opinion.
3. Iraq has no ambition in Iranian territories. But all these diplomatic notes fell on deaf ears, as Iraq did not get any response to them. In view of the continuous Iranian violations of the Algiers Agreement of

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To mention now as an example, the number of Iranian violations for the period of June to September 1980 has reached 187 violations and military actions across the Iraqi frontiers against populated cities and villages, roads and border posts. Those armed violations became a daily routine for the conduct of Iranian military forces. On September 4, 1980 a dangerous turning point in the chain of these violations happened. The Iranian military forces used American made heavy artillery of 175 mm. calibre to shell the towns of Khanaqin and Mendili causing thereby severe damage both to life and property. It is worthy to mention that that concentrated bombardment was made from the area of Zain Al Qaws which is situated between frontier pillars (46) and (51) deep inside Iraq's territory. On the noon of September 7, 1980, the savage bombardment was committed again in the same manner. On that date the Chargé d'Affaires of the Iranian Embassy in Baghdad was called in to the Foreign Ministry and was delivered a note. In it, it was stated that the Iranian military units have encroached upon numerous areas of Iraqi territory as was the case inter alia in Zain Al Qaws, and the said encroachments have continued, contrary to the Frontiers Treaty of 1975 between the two countries. He was requested to convey to his Government that it should immediately end those encroachments. But the Iranian forces continued with its bombardments up to the night of that day. On the following day, i.e. on September 8, 1980, the Iranian Chargé d'Affaires was again called in to the Foreign Ministry and another note was handed to him. In that note it was stated that the Iraqi military forces, in the exercise of the legitimate right to self-defence, were forced to end the Iranian occupation of Zain Al Qaws and restore the occupied Iraqi territories.

The Government of the Republic of Iraq expressed also in the note its hope that the Iranians shall benefit from that event and give back the Iraqi lands which Iran had encroached upon in previous times as was agreed upon in the 1975 treaty, hence avoiding the possibility of wider confrontation between the two countries. But the following days witnessed concentrated military activities of the Iranian military forces inside the encroached upon Iraqi territories. The Iraqi Government found it necessary to call in once again the Iranian Chargé d'Affaires to the Foreign Ministry on September 11, 1980. He was delivered a detailed note this time stating the following points:

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3. Iraq has no ambition in Iranian territories. But all these diplomatic notes fell on deaf ears, as Iraq did not get any response to them. In view of the continuous Iranian violations of the Algiers Agreement of

1975, the insistence upon those violations which was made clear by the announcements of official Iranian circles, namely, that the said agreement was suspect, that it did not meet Iran's interest, and that Iran does not consider itself bound by it, it was established by the Iraqi Government that the Iranian Government had violated the elements of the comprehensive settlement contained in the Algiers Agreement and that it had terminated it. Consequently, the Government of the Republic of Iraq decided to consider the said agreement and those following, and based upon, it as terminated on the part of Iraq after Iran had terminated it by word and deed. This was done in accordance with paragraph (4) of the Algiers Agreement and Article (4) of the Treaty of International Frontiers and Good Neighbourliness, 1975, which was based on the said agreement. On that occasion Iraq called upon the Iranian authorities to accept the new situation and act rationally and wisely in the face of the exercise by Iraq of its legitimate rights and full sovereignty in all its land and fluvial territories in Shatt-al-Arab as was the case before the Algiers Agreement.

The Government of the Republic of Iraq was forced to take the measure just indicated after the ruling authorities in Iran continued in gravely violating their international obligations. Having exhausted all the peaceful means to have Iran heed its obligations, the Iraqi Government was left with only one choice, namely, the exercise of self-defence for the purpose of restoring Iraq's sovereignty over the totality of its territory. Despite the fact that the Iraqi Government has declared through its highest officials that it did not wish to have any war with Iran, that it did not aim at widening the conflict outside the limits of restoring Iraq's legitimate rights of territorial sovereignty, and that Iraq did not have any territorial ambitions in Iran, yet the Iranian Government escalated the conflict. It began as from September 19, 1980 to bombard by heavy artillery and bomber planes heavily populated areas in Iraq, vital economic establishments, Iraqi and foreign incoming and outgoing vessels in Shatt-al-Arab, and the navigational channels in the said river as well as its approaches in the Arab Gulf.

The following is a sample of those acts of aggression:

1. September 18, 1980:—Machine gun-fire against Siba village in Shatt-al-Arab.
2. September 19, 1980:—Artillery bombardment on Un al Risas in Shatt-al-Arab.
3. September 20, 1980:—Artillery bombardment against navigation lanes at Un al Risas.
 - The Iranian commercial vessel (Iran Bander), which was armed, shot at Iraqi military naval patrols.
4. September 21, 1980:—The British vessel Oriental Star was fired at by an Iranian Patrol boat at Ziyadiya while on route to Basrah.
 - Iraqi navigation control tower at Wasiliyah was fired at by an Iranian patrol boat.
 - Kuwaiti vessel Al Ghardaniyah was hit by fire from Abadan.
 - Un al Risas tower No. 2 was bombarded by medium and heavy artillery.
 - Siba village was fired at by a boat.
 - Medium and heavy artillery fire was opened on the Iraqi dredger (Sina'a) at Un al Risas.
 - Artillery shelling at degazing station at North Fakka which was damaged.
 - Fire attack on (Muhammad) barge in Wasiliyah.
 - Singaporean vessel (Lauville) hit by light fire while navigation toward Basrah.
 - Iraqi crane vessel fired at near Wasiliya.
 - Heavy and medium artillery firing at Headquarters of Iraqi Naval life-guard.
 - Concentrated aerial bombardment on the town of Mendeli.
 - Heavy artillery shelling on city of Khanaqin for ninety minutes.
 - Heavy artillery shelling on Quratu town.
5. September 22, 1980:—Concentrated artillery shelling on Mendili City suburbs.
 - Harrassment of navigation in Shatt-al-Arab by intermittent firing.

As against these savage acts the Iraqi Government issued a statement warning the ruling authorities in Iran of the consequences of that escalation and the indiscriminate strikes which it had committed, putting the full responsibility upon the said authorities. The Iraqi Government explained also in the said statement that the acts committed by Iran have made it necessary to direct preventive strikes against Iranian military target inside Iran with a view to protecting the safety, security and vital interest of Iraq. Thus, once again, Iraq was forced to exercise its rights to preventive self-defence in accordance with international law in order to repel aggression.

The existing Iraqi-Iranian armed conflict represents an indivisible component of an established Iranian policy. That policy has been exercised by different Iranian Governments throughout history irrespective of their declared intentions against Iraq and the Arab nation. The developments that led to this conflict is fully attested to by the statements of the various Iranian officials. (See *infra*, Section 10.)

The Iranian call for the application, in this context, of the definition of aggression adopted by the General Assembly in resolution 3314 (XXIX) of December 14, 1974, is untenable and incorrect. The definition is not 'normative' because the General Assembly simply called the attention of the Security Council to the definition and recommended that it should, as appropriate, take account of it as a guidance in determining, in accordance with the Charter, the existence of an act of aggression. It should also be pointed out that the substance of the definition does not lend support to the Iranian allegation. Iraq, as we have shown, did not act first, and when it acted it did so in self-defence. In this connection, no *prima facie* evidence could be adduced against Iraq's actions, nor could it be said that the relevant circumstances would confirm that Iraq acted unjustifiably. In addition, it should be remembered that the definition, as stated in Article (6) thereof, should not be construed as in any way enlarging or diminishing the scope of the Charter, including its provisions concerning cases in which the use of force is lawful.

As for the insinuation that our legitimate defensive measures have been taken to serve United States interests in the Arab Gulf region and the Indian Ocean, we need only say that Iraq's policy of non-alignment and full independence is well-known. In particular, Iraq's policy on interregional affairs has been succinctly formulated in the Pan Arab Charter pronounced by Mr. Saddam Hussain, the President of the Republic of Iraq on February 8, 1980. (For text, see Annex I.)

ALLEGATION

(3)

CONDUCT IN HOSTILITIES

It is not only the Iraqi air force which is being used but also the barbaric method of destruction which is being used against Iranian cities. Iraqi artillery and ground to ground missiles are being used indiscriminately and deliberately against residential areas, hospitals and schools.

FACT

Iraq did not start the war with Iran. The Iranian authorities started with their subversive, terrorist, and military acts against Iraq long before the present hostilities. We have gone through the facts which prompted Iraq's defensive actions in the previous section. When Khomeini's subversion, sabotage, and terrorism, through al-Ba'awa party (the Call party) had failed to achieve their ominous aims, Iranian

ALLEGATION

It is not only the Iraqi armed aggression against Iran that should be condemned but also the barbaric method of destruction which is being used against Iranian cities. Iraqi artillery and ground to ground missiles are being used indiscriminately and deliberately against residential areas, hospitals and schools.

Iranian forces. (See for instance, the New York Times, October 23, 1980.)

Moreover, it is clear from the statement of the International Committee of the Red Cross issued in Press Communique No. 1402 dated October 13, 1980, that the Iraqi Government has fulfilled its obligations under the Geneva Convention of 1949 regarding the treatment of the prisoners of war. It would be interesting to ask whether the Government of Iran is acting in the same manner, as no such attitude seems to have been adopted.

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Iraq has not failed to observe during the hostilities the rules of law in armed conflicts. But the Iranian indiscriminate military acts have been especially directed against cities and populated areas. Nothing was spared by the Iranian forces, not even unarmed foreign sailors swimming to safety in Shatt-al-Arab. (See the New York Times, October 9, 1980.)

In contrast, Iraqi forces kept rescuing trapped foreign sailors in Abadan under persistent fire from Iranian forces. (See for instance, the New York Times, October 23, 1980.)

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ALLEGATIONS:

1. Imam Khomeini has made it very clear in his speech of September 12, 1980, that the servants of Imperialism are trying to divide the oppressed people of the Muslim world on the basis of prejudices inherited from the era of Imperialist dominance. The purpose of Islam, he said, is to put an end to such prejudices. Contrary to this, the Government of Iraq has used these prejudices to stage an aggressive war against Iran. They even seek to stir up radical and sectarian hatred, and resort to the Zionist technique of digging into ancient history to make claims upon Iranian territory.

(4)

2. The United States opposed Iran's policy of having no policeman in the area and leaving its security to the court of the law. The Iraqi regime was well suited for the job for, like the Shah's regime, it is based on oppression. However, geography which prevented Iraq from controlling the 'Persian' Gulf effectively has had to be overcome by expanding the Iraqi Borders. Hence, Iraq launched its aggressive war to take total control of the Shatt-al-Arab waterway that links Iraq to the 'Persian' Gulf and to establish a buffer zone between the two countries in the Iranian province of 'Khuzistan'.

Iraq distorts the character of the war as being between Arabs and Persians, or between Iraq and Iran. It is a struggle between imperialism and its agent and gendarme the Iraqi regime on the one side, and the people, both Iranian and Iraqi, Persian and Arab on the other. The regime in Iraq is the enemy of Islam, the Arab nation, OPEC and non-alignment.

FACT

If the Iranian Government views the situation in our region in this mentality, then we can only submit that a pathological remedy is needed. Those allegations are not worthy of a reply. All we can say is that Iraq's policies are well-known. None of these policies harbours any design for hegemony or domination of others. A clear statement on Iraq's regional policy is contained in the Pan Arab Charter declared by President Saddam Hussam on February 8, 1980. (For text, see Annex I.)

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2. The United States opposed Iran's policy of having no policeman in the area and leaving its security to the countries of the region. Consequently, the United States has opted for the emergence of another policeman, another Shah. The Iraqi regime was well suited for the job for, like the Shah's regime, it is based on oppression. However, geography which prevented Iraq from controlling the 'Persian' Gulf effectively has had to be overcome by expanding the Iraqi Borders. Hence, Iraq launched its aggressive war to take total control of the Shatt-al-Arab waterway that links Iraq to the 'Persian' Gulf and to establish a buffer zone between the two countries in the Iranian province of 'Khuzistan'.
Iraq distorts the character of the war as being between Arabs and Persians, or between Iraq and Iran. It is a struggle between imperialism and its agent and gendarme the Iraqi regime on the one side, and the people, both Iranian and Iraqi, Persian and Arab on the other. The regime in Iraq is the enemy of Islam, the Arab nation, OPEC and non-alignment.

Khomeini and his followers never tire from repeating the sense charge that Iraq's policies resemble those of Zionist Israel. This charge cannot deceive the Iranian masses and the world. Khomeini's collaboration with Israel is no longer a secret. Newsweek reported the following:

"Israel is secretly selling ammunition to Iran for use in the Persian Gulf War. The two nations have the same kinds of U.S.-made equipment, and Israeli sells Israeli mortar and artillery shells and machine-gun bullets. Most of the trade is taking place in Holland, but no estimates of the amounts are available." (See Newsweek, November 3, 1980)

FACT

If the Iranian Government views the situation in our region in this mentality, then we can only submit that a pathological remedy is needed. Those allegations are not worthy of a reply. All we can say is that Iraq's policies are well-known. None of these policies harbours any design for hegemony or domination of others. A clear statement on Iraq's regional policy is contained in the Pan Arab Charter declared by President Saddam Hussain on February 8, 1980. (For text, see Annex I.)

It is to be recalled that former Iranian Governments had resorted to the argument of Colonial dominance in order to terminate unilaterally binding border treaties upon Iran. The present Iranian authorities are no better on this score. For if they are truly against Colonial dominance, why do not they withdraw from the three Arab Islands in the Arab Gulf which were occupied in 1971 by the Shah through the use of force only to perpetuate Colonial policies in the region? Moreover, in what sense could we understand some of the statements of Iranian officials, quoted in Section 9 *infra*, in which they have claimed all the Arab countries in the region?

As for the allegation that Iraq wants to be the policeman of the region, the Iranians have yet to show a single piece of concrete evidence to prove what they say. No fault could be attributed to Iraq if it has gained prominence in the region and the world at large due to its peaceful, cooperative, and independent foreign policy. In contrast, Iran's complete isolation is a strong testimony on the failure of the Iranian Government to forge cooperative relations with its neighbours and the world. This reality stems to a large extent from Khomeini's sectarian interpretation of Islam which does not serve the fundamental principles of that noble religion.

The Iranian analysis of the objectives of the present armed conflict is naive, to say the least. On more than one occasion, Iraq emphasized both in word and deed that it harbours no hegemonical aspirations in the region. Iraq's only aspiration is to achieve with the States of the region alone freedom of navigation in the Arab Gulf and clearing the area from the rivalry of the super powers in the interest of security. The Shatt-al-Arab is Iraq's sovereign territory since older times. It is Iraq's only outlet to the Arabian Gulf and from there to the open seas. It is natural, therefore, for Iraq to rise up strongly against any Iranian attempt to stifle its sea connections with the outside world on the basis of pseudo claims. No great effort is needed to understand this basic and just reality particularly in view of the long sea coasts and sea ports of Iran in the Arabian Gulf and the Indian Ocean.

Khomeini and his followers never tire from repeating the senile charge that Iraq's policies resemble those of Zionist Israel. This charge cannot deceive the Iranian masses and the world. Khomeini's collaboration with Israel is no longer a secret. *Newsweek* reported the following:

"Israel is secretly selling ammunition to Iran for use in the Persian Gulf War. The two nations have the same kinds of U.S.-made equipment, and Israeli sales include mortar and artillery shells and machine-gun bullets. Most of the trade is taking place in Holland, but no estimates of the amounts are available."

(See *Newsweek*, November 3, 1980)

ALLEGATIONS:

1. The Islamic Revolution shook the whole of the Muslim World. It towered above all else in a thousand years of Iranian history.
2. Having learned the lessons of history, the Islamic Revolution of Iran stands for justice, freedom, and independence against colonialism, imperialism and international Zionism.
3. After the fall of the Shah, a new phenomenon was born in the region. It did not fit super-powers interests. It became a serious and attractive alternative for the oppressed masses of the world.

(5) ISLAMIC REVOLUTION IN IRAN

ALLEGATIONS:

1. The Islamic Revolution shook the whole of the Muslim World. It towered above all else in a thousand years of Iranian history.
2. Having learned the lessons of history, the Islamic Revolution of Iran stands for justice, freedom, and independence for all peoples and nations. Hence, the support for the Palestinians and the struggle against colonialism, imperialism and international Zionism.
3. After the fall of the Shah, a new phenomenon was born in the region. It did not fit super-powers interests. It became a serious and attractive alternative for the oppressed masses of the world.

FACT

We have no quarrel with what the Iranian revolution stands for in Iran. This is entirely the affair of the Iranian peoples. But if the Iranian revolution does not practice what it preaches by interfering into Iraq's internal affairs, then Iraq has every reason to stand against it. Iraq must defend itself in the interest of its sovereignty, security and well-being.

In this connection, a basic fact should be recalled. It is quite well-known that the whole region is predominately Islamic. Now, why is the so-called Islamic revolution so isolated? The reason is because Khomeini's Islam is sectarian. It aims at destabilization in the interest of expansionism rather than unity for well being to all.

ALLEGATIONS:

(6)

INTERFERENCE IN INTERNAL AFFAIRS

FACT

ALLEGATIONS:

This allegation is a distortion and defies reality. The Foreign Minister of Iraq presented the Security Council with a detailed account on the Iranian acts of interference into the internal affairs of Iraq. (For text see Annex III.) The Iranian claim that Iran is morally and spiritually with the oppressed people. Iran does not interfere in the internal affairs of other countries. But morally and spiritually Iran is with the oppressed people everywhere, the ideas and beliefs transcend national boundaries. Government as an 'enemy of Islam'. It called upon the Iraqi people and army to rebel and bring down the Government. It intentionally instigated, supported and carried out through its agents sabotage, subversion and terrorism. Could all this be described as ideas and beliefs transcending national boundaries?

FACT

This allegation is a distortion and defies reality. The Foreign Minister of Iraq presented the Security Council on October 15th with a detailed account on the Iranian acts of interference into the internal affairs of Iraq. (For text see Annex III.) The Iranian claim that Iran is morally and spiritually with the oppressed people everywhere is nothing but a pretext. In the case of Iraq, Khomeini and his followers, fictitiously declared the people of Iraq as 'oppressed', Iraq's President as 'infidel', and the Iraqi Government as an 'enemy of Islam'. It called upon the Iraqi people and army to rebel and bring down the Government. It intentionally instigated, supported and carried out through its agents sabotage, subversion and terrorism. Could all this be described as ideas and beliefs transcending national boundaries?

ALLEGATION:

(7)

Forty thousand Iraqis were expelled. They were collected from everywhere without prior warning and taken by trucks to the desert. There they were left in the desert in the most inhumane manner without food, shelter or any of their personal belongings.

ALLEGED EXPULSION OF SHI'IS

FACT

The Foreign Minister of Iraq made it clear in his statement before the Security Council on October 15, 1980, how Iraq welcomed the new regime in Iran and Iraq's persistent efforts to forge relations of friendship and cooperation with it. Those efforts came to an end when Prime Minister Barazani resigned and Khomeini decided that the time heave came to export his Islamic revolution to Iraq and the Arab Gulf region. Under his auspices and with his blessings, a meeting was held at Qom for the leaders of the reactionary and sectarian al-Da'awa party (meaning the Call party). The decision was reached to overthrow the Iraqi Government, through subversion, sabotage, and terrorism by the so called "Jondi el Imam" i.e. the Imam's Soldiers, which meant the militants of the said party. The idea was that after reigning terror in Iraq enough to destabilize its Government, then a popular uprising would bring it down. Here, Khomeini was obviously thinking that what he achieved in Iran could be secured in Iraq as well.

The task of the so-called Imam soldiers was carried out by Iranian infiltrators and residents in Iraq as well as first generation Iraqi of Iranian origin. We witnessed all over Iraq, and particularly in the central and the southern parts, acts of sabotage and terrorism of mounting magnitude. Those acts committed at al-Thawra and Khadhumani in Baghdad, and cities like Kerbala, Najaf, Amarah, Basrah, and Nasiriyah. They consisted in hurling explosive materials on the masses during religious and national occasions, throwing nitric acid on the faces of people attending prayers at mosques, poisoning food and water prepared for the pilgrims of the holy shrines in Kerbala, Najaf, and Khadhumani, and the like. At al-Thawra in Baghdad, a heavily populated working class quarter, the terrorist attack claimed many lives and a number of Iranian terrorists were caught. The Iranian Ambassador, Mr. Doi, met the Iraqi Foreign Minister later to plead for the release of the terrorists, and Iraq responded positively. All these acts were directed from Qom, as daily instructions were issued to al-Da'awa agents through Khomeini's broadcasting stations from Tehran, Qasr Shirin, Ahwaz, Abadan and Kurdistan. Those stations issued

ALLEGATION:

Forty thousand Iraqi citizens accused of having Iranian ancestry were barbarically expelled. They were collected from everywhere without prior warning and taken by trucks to the border. There they were left in the desert in the most inhumane manner without food, shelter or any of their personal belongings.

Mr. Tariq Aziz, The member of the Revolutionary Command Council and Deputy Prime Minister, in which lives were lost and many injured. Similarly, the throwing of bombs from the Iranian school at Waziriya Street on the funeral procession of those innocent who were murdered in the former incident on April 5, 1980, in which some Iranian diplomats took part. In addition, an attempt on the life of the Minister of Culture and Information before his ministry was carried out on April 12, 1980. In all these incidents, Iraqis were caught of the description of Jondi el Imam, which we mentioned earlier.

Iraq reacted to those acts of terrorism by expelling Iranian residents. Iraq's action was prompted by reasons of internal security, as no state in the world could be expected to condone acts against its internal security from foreigners residing within it.

It is worthy to note that parallel to the acts just described, the Barazani followers, now harboured and supported in Iran, began to commit similar acts of terrorism in the northern part of Iraq.

In addition, the Khomeini authorities began to prevent the return of Iraqi Kurds from Iran to Iraq and persecute any remnants of the families when some members of which succeed in returning to their homeland.

All these acts were accompanied by a formidable public media propaganda campaign unprecedented in its fanatical and sectarian religious overtones. Iraq, in fact, was not alone in witnessing those acts. Similar actions were attempted in Kuwait, Saudi Arabia, Bahrain, and the United Arab Emirates.

Khomeini's scheme through the so-called Islamic revolution was to destabilize the region through inciting religious sectarian strife. Iraq refused such a medieval ideology. Iraq's concept is secular, and does not mingle affairs of state and religion together. Revolutions cannot be imposed from the outside against the free will of the people. Iraq is bound to stand against Khomeini's theories and practices in defence of its security, well-being, and independence.

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The most cruel terrorist act was the throwing of bombs at a huge student's gathering at al-Mustansiriyah University in Baghdad on April 1, 1980, where an attempt was made to assassinate Mr. Tariq Aziz. The member of the Revolutionary Command Council and Deputy Prime Minister, in which lives were lost and many injured. Similarly, the throwing of bombs from the Iranian school at Wazriya Street on the funeral procession of those innocent who were murdered in the former incident on April 5, 1980, in which some Iranian diplomats took part. In addition, an attempt on the life of the Minister of Culture and Information before his ministry was carried out on April 12, 1980. In all these incidents, Iranians were caught of the description of Jondi el Imam, which we mentioned earlier.

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ALLEGATIONS:

Ever since the overthrow of the Shah, Iraq has been a staging point for counter-revolutionary actions inside Iran. A steady stream of Saddam Hussain's (8) have been entering Iran along with the counter-revolutionaries. They have been operating along the borders and especially in the provinces of Khuzestan and Chaharmahal and Bakhtiari. They have raised these attacks in their official radio broadcasts and their state controlled press. There are many documented instances in which Iraqi agents were arrested inside Iran with weapons and explosive materials. The Baghdad authorities have also indulged in acts of terrorism against Iranian Embassies in various parts of the world.

ALLEGED TERRORISM

ALLEGATIONS:

Ever since the overthrow of the Shah, Iraq has been a staging point for counter-revolutionary actions inside Iran. A steady stream of Saddam Hussain's agents have been entering Iran along with the counter-revolutionaries. They have committed acts of sabotage and murder all along the borders and especially in the provinces of Khuzestan and Kurdistan. The Baghdad authorities openly praised these attacks in their official radio broadcasts and their state controlled press. There are many documented instances in which Iraqi agents were arrested inside Iran with weapons and explosive materials. The Baghdad authorities have also indulged in acts of terrorism against Iranian Embassies in various parts of the world.

(See also Section 10 *infra*.)

FACT

These fantastic allegations have nothing to substantiate them. The true facts are that the Iranian regime is based on a medieval sectarian philosophy hostile to the aspirations of national minorities. It was, therefore, natural for those minorities to oppose the regime and seek to achieve their aspirations in ways considered suitable by them. False charges against Iraq in this connection do not change the nature of the situation.

Iraq has condemned terrorism on numerous occasions. It has ratified all the relevant international conventions relating to the subject, and this is quite well-known. When the Iranian representatives speak of terrorism against Embassies, their Government is surely in a most vulnerable situation on this score. (See also Section 10 *infra*.)

Iranian statements against Iraq abound, and the following are just a sample. It is necessary to point out that the Iranian officials have not felt constrained to use the most immoral language one can think of, and even at the United Nations.

1. Khomeini said in a speech delivered by his son on his behalf on March 21, 1980, "We should exert our best endeavours to export our revolution to other parts of the world and give up the idea of confining the revolution within our borders".
2. The statements made by Abu al-Hassan Bani Sadr, President of the Republic of Iran, to "Al-Nahar al Arabi and Al-Dawli" Magazine in its issue No. 151 dated March 24, 1980, in which he said that Iran will not evacuate or return the three Arab islands and that the Arab countries (Abu Dhabi, Qatar, Oman, Dubai, Kuwait and Saudi Arabia) are not independent in so far as Iran is concerned.
3. After meeting Khomeini and Bani Sadr on April 7, 1980, the Commander of the Iranian Land Forces said that Iraq is "Persian".
4. Iran's Foreign Minister, Qutb Zada stated on April 8, 1980, in Iran that "Aden and Baghdad" belong to us.
5. On April 9, 1980, Qutb Zada stated that his government has decided to overthrow the Iraqi Government.
6. Sadig Rohani—the conservative wing of clergymen—stated on April 18, 1980 that "Iran may claim Bahrain again if Iraq continues to claim the three Islands in the Gulf, namely, Greater and Lesser Tunbs, and Abu Mousa, which were occupied by the Iranian army in the year 1971. Rohani added that the Shah's parliament which relinquished claiming Bahrain in the year 1970, was an illegal parliament.

(9)

STATEMENTS OF IRANI OFFICIALS AGAINST IRAQ

On the morning of April 18, 1980, at his meeting with the representatives of the National Mobilization Committee, Khomeini said: "We are Arabs." Khomeini added that all the Islamic peoples should know the meaning of this statement. It means that we do not want Islam. I have the following to say to those who speak in Arab terms. The Arabs themselves have tried at a certain time to stand against Islam. These people want us to revive the Umayyad era. They want to return to that pre-Islamic era so that the forces in existence would be merely Arab and without any trace of Islam. These people do not believe in Islam. The Arab people know that the late ayatollah Mubain al-Hakim gave his religious opinion to the effect that the political party of these people is a blasphemous party and he said they are atheists. Thus they are an atheist group according to the religious opinion of ayatollah al-Hakim. If the Arab people want to work for God and Islam, they should oppose them. He asked: Will the Iraqi army whose elements are Shiite Moslems rise up and espouse the cause of Arabism against Islam? He added: Islam includes Arab and non-Arabs.

The Iraqi Baath fights Islam, and noble Iraqi people should get rid of the claws of those fingers.

Just as the Iranian army realized that the deposed Shah was against Islam and therefore joined the people and contributed to the Islamic revolution, the Iraqi army should rise up. The war which the Baath wants to kindle is a war against Islam. Would the Iraqi army consent to fight Islam or to direct its bayonets against the Quran? These bayonets are directed against Quran.

The Iraqi people and the Iraqi army are duty-bound to abandon this non-Islamic party as well as this non-Islamic clique. Just as the Iranian army joined their people, you, the Iraqi army are required to join the Iraqi people. You are responsible to God and you have no reason to fight Iraqi people and Islamic Iran. This war is against Islam and against the Quran. This war which is imposed on you is against the Prophet Muhammed. Will the Iraqi army agree to fight the Quran and Prophet Muhammed? Today, Iran is the country of Prophet Muhammed. Its revolution is Islamic. Its government is Islamic and its laws are Is-

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7. On the morning of April 18, 1980, at his meeting with the representatives of the National Mobilization Committee, Khomeini said that the Iraqi government is not a government and Iraq has no parliament. What is there is a number of military officers who are doing what is to their own liking. They have no relation or connection with the people. They are just time-worn elements. Saddam Hussain is doing the planning now and he says many things. He said, "We are Arabs." Khomeini added that all the Islamic peoples should know the meaning of this statement. It means that we do not want Islam. I have the following to say to those who speak in Arab terms. The Arabs themselves have tried at a certain time to stand against Islam. These people want us to revive the Ummayed era. They want to return to that pre-Islamic era so that the forces in existence would be merely Arab and without any trace of Islam. These people do not believe in Islam. The Arab people know that the late ayatollah Muhsin al-Hakim gave his religious opinion to the effect that the political party of these people is a blasphemous party and he said they are atheists. Thus they are an atheist group according to the religious opinion of ayatollah al-Hakim. If the Arab people want to work for God and Islam, they should oppose them. He asked: Will the Iraqi army whose elements are Shiite Moslems rise up and espouse the cause of Arabism against Islam? He added: Islam includes Arab and non-Arabs.

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lamic. We want to establish an Islamic state. We want to bring together the Arabs, Persians, Turks and all other nationalities under the banner of Islam. Why do the tribes of Iraq keep silent when they see this Baathist clique assassinating the youths of Iraq group after group in jails? Why does the Iraqi army keep silent and support those people against Islam and the Quran? Is the Iraqi army unaware that it is fighting by the side of heresy and in a war against Islam? Is this army ignorant of the consequences of this act or of the fact that should it attack Iran, the latter will crush it and the Iranian army will march on Baghdad to support the Iraqi people and to topple the government there? But the Iranian army works for Islam.

8. "Jamhuri Islami" newspaper issued on Tehran on April 19, 1980, published some of Khomeini's statements in which he said, "The Iraqi people have to liberate themselves from the claws of the enemies and it is the duty of the Iraqi people and the army to revolt against this non-Islamic party in Iraq".

9. In a statement broadcast by the Iranian Radio on April 23, 1980, Qutb Zada stressed that the Iranian people should help the Iraqi people who are suffering from oppression by the criminal regime in Iraq. Qutb Zada promised that he will not feel at ease until the fall of Saddam Hussein's regime.

10. On April 23, 1980, Khomeini issued a statement in which he said: The Iranian peoples, particularly, the noble Iraqi people, the tribes of Tigris and Euphrates, and the Zealous Youths of Universities and other dear youths in Iraq are passing through these great calamities befalling Islam without taking notice. They are permitting the cursed Baath Party to assassinate their proud values one after the other. What is more surprising is that the Iraqi army and the entire regular forces are but a tool in the hands of these criminals and help them to destroy Islam and the holy Quran.

I am hopeless about the senior military commanders, but I am not hopeless about the officers and men, what I want them to do is to revolt like heroes and crush the foundations of oppression, as was the case in Iran, or to escape from their camps and garrisons and not tolerate the disgrace of the oppression of the Baath Party. I am not hopeless about the workers and officials of the usurper Baath government and I hope that they will join hands with the Iraqi people to remove this disgrace in Iraq. May the Almighty fold the carpet of oppression of those criminals.

11. On the morning of April 23, 1980, a statement by Muhammed al-Shirazi said: Boycotting everything related closely or remotely to the Baath. The Baath is approaching its downfall and has become frenzied. It does not shrink from any crime or dastardly acts as has been witnessed by all.

12. At a press conference held by Qutb Zada on April 28, 1980, at the headquarters of the Supreme Shiite Islamic Council in the district of al-Hazimiya in Beirut said: "We believe that the Iraqi regime is a 'criminal' regime committing against the Iraqi people and we support the Iraqi people in their bid to get rid of this criminal regime. If the Iraqi President Saddam Hussain is not already in hell, he will be there sooner". Asked whether the two neighbouring countries are heading for war, he replied, "it is not a war until now but this might happen".

13. According to Monte Carlo Radio on April 30, 1980, Qutb Zada denied that the Arabs have to claim the islands Greater Runb, Lesser Tunb and Abu-Musa in the Gulf since all the Gulf states are historically part of the Iranian territories.

14. In a press interview with "al-Khalij" daily on May 1, 1980 Bani Sadr was asked the following question:

Don't you think that Khomeini's statement that "if Iraq continues its course with the Iraqi people and its attacks on Iran, he will march on Baghdad to liberate the Iraqi people" is an interference in Iraqi affairs? Bani Sadr replied, "This is not interference in Iraq's affairs since we consider the Islamic nation is one and the Imam is a religious leader for us, as well as for the Iraqi people and all the Islamic people. Just as he feels responsible towards Iran, he also feels responsible towards Iraq and when the intervention is in favour of the Iranian people against the Iraqi people, then this is to be considered an intervention in the internal affairs."

15. Radio Tehran announced on September 25, 1980, that Khomeini issued a 'Fatwa' (Religiously Binding Jurists Opinion) calling on the Iranian people and their Iraqi brethren and the Iraqi Army to consider Saddam Hussain an infidel, and the Iraqi regime as hostile to Islam requesting from the Iraqi Muslim Nation and the Iraqi army to rise up against that 'infidel person'. The radio added that since Fatwa was issued by the Imam, it becomes incumbent on all Muslims in Iraq to bring down the Baath regime of the infidel agent Saddam Hussain. The Iranian army is selflessly fighting against the enemies of right. On the same date United Press reported that radio Tehran broadcasted a statement addressed to the Iraqi army by the Iranian military Command calling upon the Iraqi army to rebel against Saddam Hussain's Government adding that the Iranian Government and Army are ready to embrace that rebellion.

(10)

IRANIAN ATTACKS ON IRAQI DIPLOMATIC,
CONSULAR, AND CULTURAL INSTITUTIONS IN IRAN

The following Iranian acts are a sample:

1. On June 9, 1979, a demonstration was organized before the Iraqi Embassy. It was led by an Iranian clergyman. The demonstrators shouted slogans hostile to Iraq. They carried banners with provocative slogans.
2. On October 8, 1979, three members of the revolutionary guards attacked the Iraqi school in Khorramshahr and searched the pupils and students. On November 3, 1979, the revolutionary guard sealed off the Iraqi schools in Khorramshahr (Muhammarah) and closed them. The headmaster of the Iraqi secondary school there was detained.
3. On October 11, 1979, the so-called revolutionary guards attacked four employees of the Iraqi Consulate General in Khorramshahr (Muhammarah). They were detained. Later they were released after the intervention of the Consulate.
4. On October 26, 1979, a demonstration hostile to Iraq was organized in the town of Khorramshahr (Muhammarah). It was led by some clergymen and Iranian policemen. The demonstration headed for the Iraqi Consulate and the residence of the Consul-General. The demonstrators carried weapons and the guards of the Consulate and stole the diplomatic mail of the Consulate.
5. On the night of October 27, 1979, a number of persons affiliated to the Islamic labour organization, pasted photographs, slogans and posters on the walls of the Iraqi Embassy. They carried knives and threatened the personnel of the Embassy.
6. On November 6, 1979, eight persons attacked the Iraqi Consulate-General in Kermanshah and occupied it. They searched the consulate, ransacked its contents and treated its officials roughly.
7. On November 7, 1979, an armed group of so-called revolutionary guards attacked the Consulate-General in Khorramshahr (Muhammarah). They occupied the building and stole its contents. They also attacked the residence of the Consul-General. During the attack they fired at the personnel of the Embassy. As a result the driver of the Embassy was wounded.
8. On December 17, 1979, the Iranian authorities deported to Iraq four Iraqi teachers working in the Iraqi schools in Khorramshahr (Muhammarah) without allowing them to take their personal effects with them. Two other Iraqi teachers were detained for questioning.

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(11)

**IRANIAN VIOLATING OF IRAQI
AIR SPACE**

NO.	VIOLATION DATE	AREA OF VIOLATION	FOREIGN MINISTRY NOTE	
			NUMBER	DATE
1	6/6/1980	Zurbatia	5/1/7/2021	15/6/1980
2	6/6/1980	Wassit	"	"
3	5/6/1980	Missan	"	"
4	10/6/1980	Wassit	5/1/13/6701	26/6/1980
5	1/6/1980	Missan	"	"
6	2/6/1980	Missan	"	"
7	2/6/1980	Border Posts Abu Gharb & Al-Sharhani	"	"
8	2/6/1980	Missan	"	"
<p>Iranian military planes have committed numerous violations of Iraq's airspace. The said planes flew at various altitudes on the dates and areas listed below. The Iraqi Ministry of Foreign Affairs sent the notes indicated below to the Iranian Embassy in Baghdad in relation thereto. This list refers to the incidents of this kind which took place during the period April 11 to September 1, 1980.</p>				
10	4/6/1980	Missan	"	"
11	5/6/1980	Missan	"	"
12	6/6/1980	Zurbatiah	"	"
13	6/6/1980	Al-Daraj Border Post	"	"
14	10/6/1980	Wassit	"	"
15	13/6/1980	Mandili	"	"
16	14/6/1980	Al-Wasti Border Post Zaid Border Post Bibian Border Post	"	"
17	15/16/1980	Mandili, Hardan and Albasta Border Post	"	"

NO.	VIOLATION DATE	AREA OF VIOLATION	FOREIGN MINISTRY NOTE	
			NUMBER	DATE
1	6/6/1980	Zurbatia	5/1/7/9021	15/6/1980
2	6/6/1980	Wassit	"	"
3	5/6/1980	Missan	"	"
4	10/6/1980	Wassit	5/1/13/6701	26/6/1980
5	1/6/1980	Missan	"	"
6	2/6/1980	Missan	"	"
7	2/6/1980	Border Posts Abu Gharb & Al-Sharhani	"	"
8	3/6/1980	Missan	"	"
9	4/6/1980	Missan	"	"
10	4/6/1980	Missan	"	"
11	5/6/1980	Missan	"	"
12	6/6/1980	Zurbatia	"	"
13	6/6/1980	Al-Daraji Border Post	"	"
14	10/6/1980	Wassit	"	"
15	13/6/1980	Mandili	"	"
16	14/6/1980	Al-Wasti Border Post Zaid Border Post Bibian Border Post	"	"
17	15/16/1980	Mandili, Hardan and Albasia Border Post	"	"

NO.	VIOLATION DATE	AREA OF VIOLATION	FOREIGN MINISTRY NOTE	
			NUMBER	DATE
18	15/6/1980	Missan	5/1/13/6701	26/6/1980
19	28/6/1980	Basrah	5/1/13/10014	2/7/1980
20	6/7/1980	Missan	5/1/13/10353	8/7/1980
21	11/4/1980	Kournah	5/1/7/10499	10/7/1980
22	11/4/1980	Kournah	5/1/7/10499	10/7/1980
23	14/4/1980	Ali Al-gharbi	"	"
24	16/4/1980	Alkut	"	"
25	16/4/1980	Ali Al-gharbi	"	"
26	20/4/1980	Khanankin	"	"
27	27/4/1980	Choartah	"	"
28	30/4/1980	Choartah	"	"
29	5/5/1980	Mandili	"	"
30	5/5/1980	Choartah	"	"
31	7/5/1980	Kournah (2)	"	"
32	7/5/1980	Alumarah (2)	"	"
33	10/5/1980	Alumarah	"	"
34	10/5/1980	Alumarah (2)	"	"
35	10/5/1980	Kournah	"	"
36	11/5/1980	Bazirgan	"	"
37	15/5/1980	Kournah	"	"
38	15/5/1980	Alumarah	"	"
39	15/5/1980	Choartah	"	"
40	16/5/1980	Choartah	"	"
41	17/5/1980	Kournah & Bazirgan	"	"
42	17/5/1980	Kournah (2)	"	"
43	17/5/1980	Bazirgan	"	"

NO.	VIOLATION DATE	AREA OF VIOLATION	FOREIGN MINISTRY NOTE	
			NUMBER	DATE
44	20/5/1980	Chaortah	5/1/7/10499	10/7/1980
45	21/5/1980	Khanakin (2)	"	"
46	25/5/1980	Choartah	"	"
47	30/5/1980	Zerbatiah (2)	"	"
48	30/5/1980	Badrah	"	"
49	30/5/1980	Khanakin	"	"
50	30/5/1980	Mandili	"	"
51	31/5/1980	Mandili-Kut	"	"
52	1/6/1980	Bazirgan-Badrah	"	"
53	3/6/1980	Mandili	"	"
54	6/6/1980	Badrah	"	"
55	7/6/1980	Kournah	"	"
56	14/6/1980	Zaid Border Post	5/1/13/10777	16/7/1980
57	16/6/1980	Al-Chalamchah Oil Fields	"	"
58	16/6/1980	Al-Chalamchah Oil Fields	"	"
59	18/6/1980	Border Post at Kut-Souday	"	"
60	18/6/1980	Zaid	"	"
61	26/6/1980	Al-Chalamchah	"	"
62	29/6/1980	Al-Chalamchah	"	"
63	10/7/1980	Khanakin	5/1/13/11076	23/7/1980
64	12/7/1980	Khanakin	"	"
65	23/7/1980	Panjawin	5/1/13/11259	28/7/1980
66	11/8/1980	Badrah	5/1/7/12302	20/8/1980
67	21/8/1980	General bombardment of border villages, ports and oil establishments	"	"
68	6/7/1980	Khanakin (Maidan)	5/1/7/12569	25/8/1980
69	1/9/1980	Bassorah-Umarah	5/1/1329	6/9/1980

(12)

**IRANIAN FIRE ATTACKS AGAINST
IRAQ**

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
1	4/6/1980	Mandili	15/6/1980	5/1/7/9012
2	5/6/1980	Mandili	"	"
3	2/7/1980	Border Post Al-Shahada and Al-Jirah	5/7/1980	5/1/7/9077
4	6/7/1980	Border Post Tabah Rash	9/7/1980	5/1/7/10126
5	6/7/1980	Border Posts Al-Saddad & Al-Hussan Al-Jadid	"	"
6	27/5/1980	Border Post Maratiah	"	"
7	27/5/1980	Border Post Al-Gagah	"	"
8	29/5/1980	Border Post Al-Sayid	"	"
9	29/5/1980	Border Post Musa bin Nasir	"	"
10	29/5/1980	Border Post Musa bin Nasir	"	"
11	30/5/1980	Border Posts Al-ba'an Mohammed Kasim-Alsador Al-Daraji-Mussa bin Nasir	"	"
12	30/5/1980	Zurbatia	"	"
13	31/5/1980	Border Post Alsador-Al-Daraji	"	"
14	1/6/1980	Border Post Alsador-Al-Daraji & Musa bin Nasir	"	"
15	2/6/1980	Border Post: Hathafa Al-Safik, Turb	"	"

Iranian artillery units fired across the frontier into Iraqi territories on the dates and areas listed below. The Iraqi Ministry of Foreign Affairs sent the notes indicated below to the Iranian Embassy in Baghdad, in relation thereto. This list refers to incidents of this kind which took place during the period May 27 to September 7, 1980.

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
1	4/6/1980	Mandili	15/6/1980	5/1/7/9012
2	5/6/1980	Mandili	"	"
3	2/7/1980	Border Post Al-Shahada and Alhijrah	5/7/1980	5/1/7/1077
4	6/7/1980	Border Post Tabah Rach	9/7/1980	5/1/7/10426
5	6/7/1980	Border Posts: Almuqdad & Alhussain Aljadid	"	"
6	27/5/1980	Border Post Maratoh	"	"
7	27/5/1980	Border Post Al-Gagah	"	"
8	28/5/1980	Border Post Abi Ubaidah	"	"
9	29/5/1980	Border Post Alssimud	"	"
10	29/5/1980	Border Post Musa bin Nasir	"	"
11	30/5/1980	Border Posts Al-ba'an Mohammed Kasim-Alssidor Al-Daraji-Mussa ibn Nasr	"	"
12	30/5/1980	Zurbatia	"	"
13	31/5/1980	Border Post Alssidor-Aldaraji	"	"
14	1/6/1980	Border Post Alssidor-Al-Daraji & Musa bin Nasir	"	"
15	2/6/1980	Border Post: Hathifa Al-Sidik, Tirb	"	"

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
16	3/6/1980	Border Posts: Musa bin Nasir, Araft, Zurbatia, Altaan, & Mohammed Al-Kasim	9/7/1980	5/1/7/10426
17	3/6/1980	Border Posts Mikdad-Al-Munthiria Region and Quarantin	"	"
18	3/6/1980	Border Posts Yathrib, Uhud, Huthaifa, Musa, Alkathim, Kutaiba, Badr Alkubra, Alyasin, Algha fiki	"	"
19	4/6/1980	Border Posts: Ali Al-Sadiq, Huthaifa, Al Yasin Al-Mukdad, Alhussain & Zain Al-Qaws	"	"
20	4/6/1980	Border Posts Musa Al-Kathim	"	"
21	5/6/1980	Border Posts Yathrib Al-Sadiq, Huthaifa (4)	"	"
22	7/6/1980	Border Post Ukba ibn Nafi	"	"
23	7/7/1980	Border Posts Ukba ibn Nafi & Al-Nasir	"	"
24	7/7/1980	Border Post Uhud	"	"
25	8/7/1980	Border Post Abdul Rahman Aldakhil	"	"
26	7/7/1980	Border Post Musa Al-Kathim and Uhud	"	"
27	5/7/1980	Border Post Thaif and Sa'ad	14/7/1980	5/1/7/10645
28	8/7/1980	Border Post Sa'ad Thaif & Alain	14/7/1980	5/1/7/10659
29	8/7/1980	Border Post Kutaiba	"	"
30	8/7/1980	Border Post Yathrib	"	"
31	9/7/1980	Border Post Musa Al-Kathim	"	"

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs	Notes
32	13/7/1980	Diyala Sector	21/7/1980	5/1/7/10937
33	14/7/1980	Border Post Al-ghazal	"	"
34	15/7/1980	Border Post Alchuhada	"	"
35	17/7/1980	Border Post Yathrib Mikdad	23/7/1980	5/1/7/11068
36	19/7/1980	Border Post Alhussain	"	5/1/7/11075
37A	20/7/1980	Border Post Alhussain and Yathrib	"	"
37B	1/7/1980	Karah-too	23/7/1980	5/1/7/11076
38	23/7/1980	Border Post Alnasir & Alwend Refinery	"	"
39	"	Border Position: Al-Asife & Alka'ka'a	"	"
40	21/7/1980	Border Posts Musa Al-Kathim, Abdul Rahman Aldakhil (twice)	30/7/1980	5/1/7/3353
41	21/7/1980	Gwar Claw	"	"
42	"	Al-rabl	"	"
43	"	Gwara Claw & Abdul Rahman Aldakhil	"	"
44	24/7/1980	Gwar Claw	"	"
45	"	Border Post Abdul Rahman Aldakhil	"	"
46	"	Gwara Claw (twice)	"	"
47	"	Al-mir	"	"
48	25/7/1980	Awend Refinery	"	"
49	"	Naft Khana	"	"
50	"	Border Post Alkawka'a Al-Nasir	"	"
51	17/7/1980	Majid salur village	2/8/1980	5/1/7/11459

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
52	31/7/1980	Border Post Huthaifa & Yathrib, Gwara Claw & Khanaqine	5/8/1980	5/1/7/11657
53	2/8/1980	Gwara Claw & Huthaifa Border Post	"	"
54	"	Border Post Al-Mukdad Huthaifa & Yathrib	"	"
55	"	Gwara Claw & Border Post Alsadiq, Yathrib Huthaifa	"	"
56	31/7/1980	Gwara Claw	11/8/1980	5/1/7/12004
57	"	Border Post Abdul Rahman Aldakhil	"	"
58	31/7/1980	Naft Khana & Border Post Alghafiki	"	"
59	4/8/1980	Border Posts Ramadhan Ahmed & Utba ibn Quaz wam	"	"
60	"	Almunthiriah, Border Post Alhussain	"	"
61	"	Gwara Claw, Bawiyah & Border Post Badr	"	"
62	5/8/1980	Border Post Musa Al-Kathim	11/8/1980	5/1/7/12027
63	6/8/1980	Gwara Claw	"	"
64	7/8/1980	Border Post Alhana & Alhussain	"	"
65	8/8/1980	Border Post Musa Al-Kathim	"	"
66	"	Border Post Huthaifa	"	"
67	6/8/1980	Border Post Alsadiq "	20/8/1980	5/1/7/12302
68	11/8/1980	Border Post Alghafiki Zain Alkaws	"	"
69	27/7/1980	Border Post Al-cheep	"	"
70	28/7/1980	"	"	"

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
71	29/7/1980	Zain Al-Qawa, Alwend Refinery	20/8/1980	5/1/7/12302
72	"	Madili Naft Khana, Al nasir-Alsmod, Abdul Rahman, Aldakhil, Gwara Claw	"	"
73	16/8/1980	Border Post Ali mir	"	"
74	25/6/1980	Border Post Alkawka'a Alssimod, Alnasir, Al-Assisifa	25/8/1980	5/1/7/12569
75	26/6/1980	Border Post Huthaifa Alssimod-Alkawka'a	"	"
76	6/7/1980	Border Post Tabarch Almukdad-Alhussain	"	"
77	7/7/1980	Border Post Ukbr bin Nafi Alnasir, Uhud, Musa Al Kathim	"	"
78	8/7/1980	Border Post Abdul Rah man Aldakhil	"	"
79	27/7/1980	Border Post Al-cheep	"	"
80	9/8/1980	Alwend Refinery & Naft Khana	25/8/1980	5/1/7/12566
81	10/8/1980	Gwara Claw-Choldora-bilala & bomo & Border Post Yathrib	"	"
82	10/8/1980	Border Post Yathrib	"	"
83	16/8/1980	Alzour & Border Post Halfaya	"	"
84	20/8/1980	Border Post Alsadiq	"	"
85	23/8/1980	Gwara Claw	26/8/1980	5/1/7/12692
86	21/8/1980	Border Posts Musa Al Kathim-Alsharhani	"	5/1/7/12693

NO.	DATE OF FIRING	AREA OF FIRING	DATE	NUMBER
			Ministry of Foreign Affairs Notes	
87	27/8/1980	Majd Quader Aqua & Border Post Huthaifa, Al-hussain, Mukdad, Kutaibu	2/8/1980	5/1/7/12693
88	27/8/1980	Quanichla & Baber	"	"
89	26/8/1980	Gwara Claw, Badr, Abdul Rahman, Aldukel	31/8/1980	5/1/7/12913
90	"	Gwara Claw (twice)	"	"
91	29/8/1980	Border Post Yathrib Al-sadiq, Al-Ahnaf	"	5/1/7/13075
92	30/8/1980	Border Post Kutaiba	3/9/1980	5/1/7/13108
93	"	Gwara Claw	"	"
94	1/9/1980	Khanaquin, Kndaifa Alsadiq, Maidan	6/9/1980	5/1/7/13290
95	4/9/1980	Qorato, Kanakin, Naft Munthariab	10/9/1980	5/1/7/13291
96	"	Mandili & Zurbatia	"	"
97	"	Alchuhuda Border Post	"	"
98	5/9/1980	Alchuhada, Alwend Mohammed, Al-Kasim	"	"
99	5/9/1980	Zurbatia	"	"
100	6/9/1980	Alchuhada, Alain, Thaif	"	"
101	7/9/1980	Alhussain, Algazali Kutaiba Border Posts	14/9/1980	5/1/7/13794
102	"	Zurbatia, Kihuk	"	"
103	"	Khanakin, Mandili	"	"

ALLEGATIONS:

1. The people of the Arab countries, and the people of the whole Muslim world are brothers and sisters in faith, and Iran cannot condone or accept aggression against them.
2. We are in full solidarity with all the oppressed people (13) of the world. Our stand against the occupation of Arab territories by Israel, against Israeli aggression in South Lebanon and against the exploitation of the black majority in South Africa, is a stand successfully by I Khomeini himself.
3. The Iraqi regime have taken a decision to annex the Iranian section of the common Shatt-al-Arab waterway in the same way that Israel has declared its decision to annex the holy city of Al-Quds. Iraq boasts of its commitments to Arab interests, but why does it not act against Israel which has been violating the Arab nation for 32 years, and instead it directed forces against a country which has been most supportive of the Palestinian struggle?

ARAB ISLANDS

ALLEGATIONS:

1. The people of the Arab countries, and the people of the whole Muslim world are brothers and sisters in faith, and Iran cannot condone or accept aggression against them.
2. We are in full solidarity with all the oppressed people of the world. Our stand against the occupation of Arab territories by Israel, against Israeli aggression in South Lebanon and against the exploitation of the black majority in South Africa and Namibia has been stated forcefully by I Khomeini himself.
3. The Iraqi regime have taken a decision to annex the Iranian section of the common Shatt-al-Arab waterway in the same way that Israel has declared its decision to annex the holy city of Al-Quds. Iraq boasts of its commitments to Arab interests, but why does it not act against Israel which has been violating the Arab nation for 32 years, and instead it directed forces against a country which has been most supportive of the Palestinian struggle?

ANNEX I

FACT

If it is true that Iran cannot condone or accept aggression because the people of the Muslim world are brothers and sisters in faith including the Arab countries, why is it that Iran still occupies the three Arab Islands? Is it not that the Islands were occupied through the aggression of the Shah, the 'Taghoot' (despot) as Khomeini calls him?

If Khomeini and his supporters are so zealous about Arab lands and interests, why does he not order a withdrawal from the Islands? As for Iraq, its struggle against Zionism and support for the Palestinians do not need any recommendation from Iran. At the same time, it remains to be seen what in concrete measures is the Iranian support to the Palestinian cause?

Rejecting the presence of armies, military forces or any foreign forces and bases in the Arab Homeland or facilitating their presence in any form or under any pretext or cover, and for any reason, with any Arab regime not abiding by this principle to be boycotted politically and economically and its policies to be resisted by all available means.

ANNEX I

2. Banning recourse to the utilization of armed forces by any Arab State against any other Arab State, and settling any disputes that might arise between the Arab States by peaceful means under the principles of joint national action and the supreme Arab interest.

THE PAN ARAB CHARTER

DECLARED BY
H.E. PRESIDENT SADDAM HUSSAIN

PRESIDENT OF THE REPUBLIC

FEBRUARY 8, 1980.

54

IN THE NAME OF GOD THE MERCIFUL THE COMPASSIONATE.

Under present international circumstances and the possibility of their future development, and the serious potentialities involved, which might hamper Arab national sovereignty and security, on the one hand, and peace and security of the world on the other:

“And in response to the necessities of national responsibility towards the Arab Nation, as people, territory, civilization and heritage”;

“In line with the principles of Non-Aligned Movement, Iraq finds itself obliged to take the initiative to promulgate this Declaration to serve as a charter for the regulation of nationalist relations among the Arab States in the first place and an obligation by the Arab Nation to countries neighbouring the Arab Homeland which declare respect for the Charter and abidance to it, in the second place”.

The Declaration comprises the following principles:

1. Rejecting the presence of armies, military forces or any foreign forces and bases in the Arab Homeland or facilitating their presence in any formula or under any pretext or cover, and for any reason, with any Arab regime not abiding by this principle to be boycotted politically and economically and its policies to be resisted by all available means.
2. Banning recourse to the utilization of armed forces by any Arab State against any other Arab State, and settling any disputes that might arise between the Arab States by peaceful means under the principles of Joint national action and the supreme Arab interest.
3. The principle mentioned in (2), above shall apply to the relations of the Arab Nation and Arab States with the nations and countries neighbouring the Arab Homeland.
Thus, recourse is not permitted to the utilization of armed forces in disputes with these countries except for self-defence or defending national sovereignty against threats that might encroach the security of Arab States and their vital interest.
4. Arab States shall, all together, embark upon solidarity against any aggression or violation by a foreign party of the regional sovereignty of any Arab State, or launching of an actual state of war on it. These countries shall launch a joint retaliation to such aggression or violation to foil it by all means and techniques, including military action, collective political and economic boycott. And in all other fields necessitated by national interest.
5. Confirming the abidance of Arab States by international laws and conventions concerning the utilization of territorial waters, air, and land by any country not in a state of war with any Arab State.
6. The Arab states shall avoid international disputes and warfare, and abide by total Non-Alignment to any party to such disputes of war, unless any party of the dispute or war has committed a violation on Arab territorial sovereignty and the firm rights of the Arab countries guaranteed by international laws and conventions. The Arab States shall refrain from having their military forces participate in full or in part, in any military wars or disputes in the area and outside it on behalf of any foreign country or party.
7. The Arab States shall undertake to establish developed and constructive economic relations among them, with a view to providing and promoting a joint basis for Arab economic reconstruction and development and Arab unity. The Arab States shall avoid any conduct that might cause damage to such relations or impede their continuance and development, regardless of differences among Arab systems and such marginal political differences as might take place among them, so long as the parties concerned are abiding by the principles of this Declaration. The Arab States shall abide by the principles of national economic collaboration, with the economically solvent Arab States undertaking to contribute all forms of economic assistance to the Arab countries in such a way as to preserve them against possible dependence on foreign powers, hence a possible encroachment on their national independence and will.

8. Iraq, as it presents the principles of this Declaration forward, confirms its preparedness to abide by them vis-a-vis any Arab State or any party abiding by them; Iraq is prepared to discuss the Declaration with the Arab brethren and listen to their remarks about it, so as to reinforce the effectiveness of its principles and consolidate its implications. Iraq also confirms that this Declaration does not constitute an alternative to the Arab League Charter or the Treaty of Joint Defence and Economic Cooperation between the Arab League States. On the contrary, Iraq considers the Declaration as a consolidation of the Charter and the Treaty, and a development of both of them to be consistent with the emerging international conditions and the dangers confronting the Arab Nation and the national responsibilities involved under present and future circumstances.

Great Iraqi people! Masses of the glorious Arab Nation everywhere in the Arab Homeland!

"Iraq, while putting forth this Declaration proceeds from its national responsibility which outweighs any self or regional interest. As we address this Declaration to Arab governments, being the parties responsible for its approval and for abiding by its principles, we profoundly believe that the principles of this national Declaration can only be achieved into a charter for Arab relations through the struggle of Arab masses and through their support because it is bound to secure their fundamental rights, meet their national aspirations to liberty and independence and facilitate the thoroughfare to Arab unity".

ANNEX II

STATEMENT OF DR. SA'ADOUN HAMMADI MINISTER OF FOREIGN AFFAIRS OF IRAQ BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS

October 3, 1980.

ANNEX II

STATEMENT OF DR. SA'ADOUN HAMMADI MINISTER OF FOREIGN AFFAIRS OF IRAQ BEFORE THE GENERAL ASSEMBLY OF THE UNITED NATIONS

October 3, 1980.

On behalf of the Iraqi delegation, I should like to express to you, Mr. President, our congratulations on your election to the Presidency of the thirty-fifth session of the General Assembly. I am convinced that thanks to your wisdom and great competence, this session will achieve fruitful and constructive results.

I should also like to express our thanks and appreciation to your predecessor, Ambassador Jahn Ahmed Saïm, who carried out his duties with great responsibility and competence during the last session, as well as during the ensuing emergency session.

Iraq has been one of the staunchest advocates of non-alignment, which is based on the principles of non-interference in internal affairs, respect for the national sovereignty of all States and the preservation of international peace and security in the world. In addition, our foreign policy does not tolerate any form of aggression, territorial encroachment or violation of the principles of international law. Our foreign policy is based on the principles of justice and equity, and pan-Arab experience.

Any disequilibrium in the international system, which leads to a violation of the rights and sovereignty of one State, is a phenomenon which has often led to tension and crisis. It is in the interest of all States to cooperate on rules that aim at the achievement of joint interests with a view to maintaining international peace and security. That is particularly true in the case of neighbouring States because they are directly affected by any violation of their rights upon them a policy of good-neighbourliness.

In its relations with Iran, Iraq has followed a policy, on approach, which is based on a number of realities that arise from the historical and religious ties between the people of Iraq and the Iranian peoples. Our policy was and still is favourable to any factor that strengthens the relations between the two countries, avoids the outbreak of crisis and takes account of common interests. In this connection, while Iraq has fully understood its international responsibility, at the same time it has not lost sight of its national sovereignty and pan-Arab duties as a part of the Arab nation.

The relations of Iraq and Iran have reached a grave crisis because of the policies of successive regimes in Iran which have considered Iraq and the Arab homeland, particularly the Arab Gulf area, as a sphere for domination. The said policies have been expressed in different forms appropriate to the particular exigencies of the time. During the rule of the Shah, arrogance, aggression, territorial expansion at the expense of others and attempts to harm Iraq's national sovereignty and the inalienable rights of the Arab nation were a constant pattern. Iraq and the Arab nation were regarded as a sphere of influence for the expansionist plans of Iranian interests. That policy has been followed throughout history by the State of Persia against its neighbours.

When the revolution of 17 July 1978 took place in Iran, Iraqi-Iranian relations experienced two novel phenomena. On the one hand, The Shah of Iran was being prepared, with great assistance from the West and in particular from the United States of America, to play the role of policeman in the region. On the other hand, the new regime in Iran was struggling to build up a new society and for the consolidation of

Iranian interference. Thus the Iranian regime found its policy of exerting pressure on others met with resistance from Iraq and it was consequently necessary to destabilize Iraq. This began with a propaganda campaign of various forms, which was escalated to a political crisis coupled with a consistent and deliberate policy of interference in the internal affairs of Iraq, whether through the exportation of plots or the backing of rebellion.

The Shah at first began to consolidate Iran's territorial encroachments upon Iraq's land frontiers. Iranian border posts were pushed forward inside Iraqi territory and roads were opened between them in such a way as to include large areas of Iraqi lands inside Iran. All that was done with the support of military forces in order to impose those encroachments by force. Then the Shah began to demand changes in the frontiers in Shatt al-Arab, contrary to the legal situation then prevailing. When that demand was met by Iraq's refusal, the Shah unilaterally terminated the Boundary Treaty of 1937.

On behalf of the Iraqi delegation, I should like to express to you, Mr. President, our congratulations on your election to the Presidency of the thirty-fifth session of the General Assembly. I am convinced that thanks to your wisdom and great competence, this session will achieve fruitful and constructive results.

I should also like to express our thanks and appreciation to your predecessor, Ambassador Salim Ahmed Salim, who carried out his duties with excellent ability and competence during the last session, as well as during the ensuing emergency special sessions and special session.

Iraq has been one of the staunchest adherents of the policy of non-alignment, which is based on the principles of non-interference in internal affairs, respect for the national sovereignty of all States and the preservation of international peace and security in the world. In addition, our foreign policy does not tolerate any interference in the independence of Iraq and the Arab countries, or in our sovereignty, territorial integrity and internal affairs in any form, from any side or on any pretext whatsoever. In adhering to these principles in its non-aligned foreign policy, Iraq proceeds from a profound need and a long national and pan-Arab experience in this regard.

Any disequilibrium in the bases of balance in State relations would certainly lead to impairing the rights and sovereignty of one side in favour of another. In order to avoid this phenomenon, which has often led to tension and crisis, it is imperative to found international co-operation on rules that aim at the achievement of joint interests within the framework in internal affairs. That is particularly true in the case of neighbouring States because the geographical reality imposes upon them a policy of good-neighbourliness.

In its relations with Iran, Iraq has adhered firmly to that policy, on approach, which is based on a number of realities that arise from the historical and religious ties between the people of Iraq and the Iranian peoples. Our policy was and still is favourable to any factor that strengthens the relations between the two countries, avoids the outbreak of crisis and takes account of common interests. In this connection, while Iraq has fully understood its international responsibility, at the same time it has not lost sight of its national sovereignty and pan-Arab duties as a part of the Arab nation.

The relations of Iraq and Iran have reached a grave crisis because of the policies of successive regimes in Iran which have considered Iraq and the Arab homeland, particularly the Arab Gulf area, as a sphere for domination. The said policies have been expressed in different forms appropriate to the particular exigencies of the time. During the rule of the Shah, arrogance, aggression, territorial expansion at the expense of others and attempts to harm Iraq's national sovereignty and the inalienable rights of the Arab nation were a constant pattern. Iraq and the Arab nation were regarded as a sphere of influence for the expansionist plans of Iranian interests. That policy has been followed throughout history by the State of Persia against its neighbours.

When the revolution of 17 July 1968 took place in Iraq, Iraqi-Iranian relations experienced two rival phenomena. On the one hand, The Shah of Iran was being prepared, with great assistance from the West and in particular from the United States of America, to play the role of policeman in the region. On the other hand, the new regime in Iraq was struggling to build up a new society and for the consolidation of

national independence. Thus the Iranian regime found its policy of exerting pressure on others met with resistance from Iraq and it was consequently necessary to destabilize Iraq. This began with a propaganda campaign in various forms, which was escalated to a political crises coupled with a consistent and continuous policy of interference in the internal affairs of Iraq, whether through the exportation of plots or the backing of rebellion.

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Then in order to achieve his political aims and territorial demands, the Shah began to exert military pressure, directly and indirectly, thus abandoning the traditional means he had followed in the past to achieve his ambitions. He thought that by military means he could ensure the achievement of his expansionist aims and ambitions. So Iran committed its armed aggression against some Iraqi border areas in central and southern Iraq in 1974, regarding which Iraq brought a complaint against Iran before the Security Council.

A more dangerous step was exemplified by the broad co-operation with the Shah initiated with the reactionary secessionist rebellion in northern Iraq. He began to exercise a direct role in the field in order to dismember Iraq. The Shah's support for the secessionist rebellion was limitless. He provided the reactionary leadership of the rebellion with huge quantities of modern and sophisticated armaments and put at its disposal all his material, military, political and media facilities, including the services of his advanced intelligence apparatus. In that respect, the Shah was like Israel, whose Prime Minister declared on 29 September 1980, as reported in *The New York Times* of the following day, that it had provided Barzani with weapons, equipment and instructors and provided the rebels with training from 1965 to 1975.

Iraq, with its devoted sons from all sects, religions and national minorities, fought a vicious conflict against that agent clique and those who stood behind it. We were inspired by the honour of Iraq and the duty to defend the unity of the homeland. Our people made all the sacrifices required by the battle. The military situation reached a dangerous point when the Shah advanced his military forces on numerous occasions to fight directly against our forces on various fronts with a view to supporting the military position of the agent rebellion.

The situation reached a more dangerous level in relation to Iraq's capability when we were surprised by the October war of 1973, in which Iraq had inevitably to participate in consonance with its pan-Arab position and responsibilities.

In 1975, however, when the late President of Algeria, Houari Boumediene, took the initiative of communicating with Iraq and Iran and suggesting direct negotiations between them in Algiers regarding all their differences, Iraq agreed to that initiative in the interests of preserving Iraq's security and national unity. Those negotiations met with success and resulted in the conclusion, in Algiers on 6 March 1975, of an agreement which represented a settlement. The political and juridical aspects were balanced in the agreement in a manner that made the impairment of any element thereof a violation of the said balance and a reason for the total failure of the agreement. That was explicitly provided in paragraph 4 of the agreement.

What follows logically from the agreement is that in implementing it the two parties should have achieved the balanced gains that they had agreed upon. But what happened in fact was that Iran achieved a direct and instant gain as soon as the Algiers agreement entered into force. Iran's position in Shaat-al-Arab became that of a partner in sovereignty over a large part of the river on the basis of the new delimitation of the frontier line therein on the basis of the thalweg. As against that, Iran agreed to give up the Iraqi lands which it had previously encroached upon and to stop its support for the secessionist Barazani.

Then, the new regime in Iran came to power. Iraq saw that event as a welcome sign, because it

ended a regime whose policies were based on aggression and interference in the internal affairs of others and in particular of Iraq and the Arab homeland. Iraq presented through its President its felicitations to the Iranian peoples, hoping for wide opportunities for the new republican regime in the maintenance of Iran's role in the service of peace and justice in the world and the forging of the strongest relations of friendship and neighbourliness with the Arab countries in general and with Iraq in particular. When the new regime in Iran announced its willingness to have Iran join the Non-Aligned Movement, Iraq was the first country to bless that move and declared its welcome to and support for Iran's application to the membership of the Movement.

Iraq pursued all possible avenues with genuine goodwill to establish relations with the new regime in Iran with a view to achieving fruitful co-operation in all fields. Iraq expressed this sincere intention through Iraqi official statements and through diplomatic channels.

But the actual state of affairs indicated that the sincere effort that Iraq was making was being met by contrary intentions which did not preserve the basis that permitted the two countries to establish good and fruitful relations.

Moreover, the relations between the two countries were marred by an intentional act on the part of the new authorities in Iran which aimed at the disruption of the existing relations between the two countries and which dangerously aggravated the situation. It was later established that the new regime in Iran had been harbouring those contrary intentions since the first days of its assumption of power.

The Iranian regime recalled to Iran from the United States the leaders of the rebel faction of Barazani, his sons and followers. After the death of Barazani his sons and followers returned to Iran, where they were granted refuge, assistance and permission to use Iranian territory as a base of operations for threatening Iraq and interfering with its internal security and national integrity. Moreover, the Iranian Government has never ceased harming the good-neighbourly relations between the two countries. It facilitated acts of infiltration of a subversive nature. In many Iraqi towns acts of murder, sabotage and poisoning of water and fishery resources were committed with the support of the Iranian Government. The situation was not limited to such activity. The Iranian acts went further to instigate trouble, sectarian and religious dissension and the commission of acts of plunder in the border areas by groups of so-called "revolutionary guards". It is worth emphasizing that the Government of Iraq addressed numerous diplomatic notes to the Iranian Government through its Embassy in Baghdad. In those notes all the Iranian violations regarding the matters I have mentioned were clearly stated. In order to give an idea of the number of those violations, we have distributed to the delegations of Member States a brief account of a sample of the violations and a map indicating Iranian encroachments on our land frontiers. Frontiers that were delimited clearly and drawn jointly on the new maps by the two parties, and re-demarcated on the land by building anew the old frontier pillars of 1913, which number 126 and the new additional pillars, which number 593, established in 1975.

We shall also distribute a detailed study with maps on the evolution of the legal regime of the Iraqi-Iranian frontiers since 1520. What I should like to mention now as an example is that for the period June to September 1980 the number of Iranian violations and military actions across the Iraqi frontiers against populated cities and villages, roads and border posts has reached 187.

On September 4, 1980 a dangerous turning point in the chain of those violations occurred. The Iranian military forces used American-made heavy artillery of 175 mm. calibre to bombard the towns of Khanaqin and Mendili, causing thereby severe loss of life and damage to property. It is worth mentioning that that concentrated savage bombardment was carried out from the area of Zain Al Qaws which is situated between frontier pillars 46 and 51 deep inside Iraq's territory.

At noon on 7 September 1980, savage bombardment was again laid down in the same manner. In our turn we called the Chargé d'Affaires of the Iranian Embassy in Baghdad to the Foreign Ministry on that date and delivered a note to him. In it we stated that Iranian military units had encroached upon numerous areas of Iraqi territory as was the case in *inter-Alia* Zain Al Qaws, and that the said encroachments had continued, contrary to the Frontiers Treaty of 1975 between the two countries. We requested him to convey to his Government that it should immediately end those encroachments. But the Iranian forces continued their bombardments until nightfall of that day.

On the following day, 8 September 1980, the Iranian Charge d'Affaires was again called in to the Foreign Ministry and we handed him another note. In that note we stated the Iraqi military forces, in the exercise of our legitimate right to self-defence, were forced to end the Iranian occupation of Zain Al Qaws and regain the occupied Iraqi territories.

In the note the Government of the Republic of Iraq also expressed its hope that the Iranians would learn from that event and give back the Iraqi lands which Iran had encroached upon in previous times, as was agreed upon in the 1975 treaty hence avoiding the possibility of wider confrontation between the two countries. But the following days witnessed concentrated military activities by the Iranian military forces inside the Iraqi territories that had been encroached upon. My Government found it necessary once again to call in the Iranian Charge d'Affaires to the Foreign Ministry on September 1980. He was handed a detailed note this time stating the following points.

First, from our observation of Iranian conduct and reactions, we have reached various conclusions the first of which is that, because of the confusion in Iran and the disordered structure and information sources of the Iranian State, the Iranian leadership might not be aware of the fact that Iran had encroached upon Iraqi territories in contravention of international law and past agreements between the two countries, including the Algiers Agreement of 1975. If this is so, we advise the Iranian leadership to ask the Iranian authorities responsible for matters of frontiers and agreements in order to ascertain our point of view and henceforth to base its action on knowledge rather than myth.

Secondly, the Iranian leadership should realize that striking at cities populated by civilians, as it did in bombarding Khanaqin and Mendili, is neither a simple matter nor a game of violence of the sort with which the Iranian officials entertain themselves at times inside Iran. Striking at Iraqi cities is considered a grave matter which should be avoided by Iran, if it does not wish relations between the two countries to deteriorate dangerously. The rulers of Iran alone will bear the responsibility of those aggressive actions before God, the Iranian peoples and world public opinion.

Thirdly, Iraq has no ambition with regard to Iranian territories.

But all these diplomatic notes fell on deaf ears, as we received no response to them. In view of the continual Iranian violations of the Algiers Agreement of 1975 and the insistence upon the justification for those violations, which was made clear by the announcements of official Iranian circles to the effect that the said Agreement was suspect, that it did not meet Iran's interests and that Iran did not consider itself bound by it, it was established by the Government that the Iranian Government had violated the elements of the comprehensive settlement contained in the Algiers Agreement and that it had terminated it. Consequently, the Government of the Republic of Iraq decided to consider the said Agreement and those following and based upon it as terminated on the part of Iraq after Iran had terminated them by word and deed. This was done in accordance with paragraph (4) of the Algiers Agreement and article (4) of the Treaty of International Frontiers and Good Neighbourliness of 1975, which was based on the said Agreement. On that occasion Iraq called upon the Iranian authorities to accept the new situation and act rationally and wisely in view of the exercise by Iraq of its legitimate rights and full sovereignty in all its land territories and fluvial territory in Shatt-al-Arab, as was the case before the Algiers Agreement.

The Government of the Republic of Iraq was forced to take the measures I have just indicated since the ruling authorities in Iran persisted in gravely violating their international obligations. Having exhausted all the peaceful means of persuading Iran to heed its obligations, my Government was left with only one choice, namely, the exercise of self-defence for the purpose of restoring Iraq's sovereignty over the totality of its territory. And despite the fact that my Government had declared through its highest officials that it did not wish to have any war with Iran, that it did not aim to extend the conflict beyond the limits of the restoration of Iraq's legitimate rights of territorial sovereignty, and that Iraq did not have any territorial ambitions in Iran, yet the Iranian Government escalated the conflict. It began as from 19 September to bombard with heavy artillery and bomber planes densely populated areas in Iraq, vital economic establishments, Iraqi and foreign incoming and outgoing vessels in Shatt-al-Arab and the navigational channels in the said river, as well as its approaches in the Arab Gulf.

In the face of these savage acts my Government issued a statement warning the ruling authorities in Iran of the consequences of that escalation and the indiscriminate strikes which they had committed, put-

ting the full responsibility upon the said authorities. My Government also explained in that statement that the acts committed by Iran made it necessary to direct preventive strikes against Iranian military targets inside Iran with a view to protecting the safety, security and vital interests of Iraq. Thus, once again, Iraq was forced to exercise its right to preventive self-defence in accordance with international law, in order to repel aggression.

The existing Iraqi-Iranian armed conflict on which the eyes of the whole world are focused represents, as I have shown, an indissociable component of an established Iranian policy. That policy has been practised by different Iranian Governments throughout history, irrespective of their declared intentions, against Iraq and the Arab nation. What I have shown the General Assembly of the developments that led to this conflict is fully corroborated by the statements of the various Iranian officials. We have already had occasion to reply to those statements in our letters, which have been distributed as documents of the General Assembly and the Security Council under the symbols A/35/201 and A/35/404. If the ruling authorities in Iran do not really intend to expand at the expense of Arab national interests and if they honestly stand for the defence of those interests against the Zionist enemy, then we are entitled to wonder about the reasons for their retention of the three Arab Islands, Abu Moussa, the Greater Tunb and the Lesser Tunb, which Iran occupied in the time of the Shah.

In addition, if the Iranian Government really intends to co-operate fruitfully with its neighbours through the establishment of friendly and good neighbourly relations, they why has it not fulfilled its obligations towards Iraq and the Arab nation, when all in the Arab world gave their blessing to the Iranian revolution when it occurred?

Iraq would like to emphasize from this rostrum a number of points previously declared by us on numerous occasions. First, Iraq is not responsible for the armed conflict with Iran to which past events have led; rather, it is the ruling authorities in Iran that bear the full responsibility. Secondly, Iraq is defending its legitimate right to sovereignty, honour and dignity, and is ready to make all the necessary sacrifices to defend those rights. Thirdly, Iran must realize that we shall not sacrifice the rights and interest of Iraq and the Arab nation as a whole. We shall oppose any attempt to interfere in our internal affairs, sovereignty and pan-Arab interests. Fourthly, Iraq realizes fully the importance of preserving international peace and security and world economic interests, in particular those relating to the flow of oil. We shall do all we can to prevent the ruling authorities in Iran from adversely affecting those interests. Fifthly, Iraq has expressed recently in the Security Council and through President Saddam Hussein in his letter addressed to the Secretary-General of the United Nations on 29 September 1980 (S/14203) its readiness to halt the hostilities immediately if the other side gives a similar undertaking and to resort to negotiations, directly or through a third party or an international body or organization, in order to find an equitable and honourable solution. Moreover, Iraq expressed, as stated again by President Saddam Hussein through President Mohammed Zia-ul-Haq of Pakistan during the meeting of the Foreign Ministers of Islamic States held in New York on 1 October 1980, its readiness to declare a cease-fire unilaterally from 5 to 8 October 1980 in order to create the best conditions for the noble efforts aimed at stopping bloodshed, achieving peace and stressing the humanitarian and legitimate content of Iraqi and Arab rights.

Finally, I should like to end my statement by quoting what the President of our Republic said in his comprehensive speech on 27 September 1980.

"We are not of those who are tempted by power and who lose their senses in victory and impose illegitimate conditions on others, even if they are aggressors with evil intentions, nor do we have any ambitions. We establish clear and noble principles: the principles of right, goodness and peace before the Iranian peoples, the countries of the region, the Arab nation and the world as a whole. What we demand is the clear, legal and actual recognition by the Iranian Government of Iraq's historic and legitimate rights over its lands and waters, the adherence by it to the policy of good-neighbourliness, the renunciation of its racist, aggressive and expansionist attitudes and its evil attempts to interfere in the internal affairs of the countries of the region and the return of every inch of the homeland which it has usurped. The Iranian Government should look upon its rights, as well as those of the Arabs and Iraqis, on these bases and it should respect international law and custom, as well as international covenants."

Mr. President, allow me first to extend to you and the other members of the Council my sincere thanks for having given me the opportunity to participate in this meeting.

As one of the founding members of the United Nations, Iraq has strongly adhered in its international relations to the purposes, principles and rules of the Charter of the United Nations. As we are a member of the non-aligned movement, the principles of non-alignment constitute the cornerstone of our foreign policy. We have not only dedicated ourselves to those principles but also translated them into action in our international relations. Whether in our region or in the world arena, our policy has always been the preservation of international peace and security, as well as the avoidance of world economic catastrophe. And this policy absolutely rejects any form of interference from any quarter, irrespective of its pretext. Hence, we cannot agree to any attempt or action to interfere in the internal affairs of our country contrary to the legally established norms of State conduct.

Having said that, permit me to state that the problem of which the Council is seized should be looked upon in its proper perspective. Otherwise we are liable to overlook some of its important dimensions and consequently no viable solution would be likely to emerge. The problem is neither new nor simple. It goes back over 400 years of history. It is not a mere border problem or a minor conflict over navigational rights. It is much wider than that. Historically it is established that, since 1520, 18 treaties have been concluded by the "Persian State" with its western neighbours, including the Ottoman Empire, concerning the borders, only to be terminated by the British Empire by deed. We are neighbours of Iran and have shared with the Iranian peoples cultural, linguistic and humanitarian ties. We have for some time been convinced that the policies and actions of the successive regimes in Iran are clearly those of territorial expansionism. I shall not bother the Council with a detailed historical account. I need only recall one fact of very recent history. All of us witnessed the visions of power and domination of the Shah, which were not confined to the Arab Gulf area but extended also to the Indian Ocean and beyond. And today we all know that the Shah's ambitions were not only unattainable but also dangerous to the peace and stability of the region.

ANNEX III

STATEMENT OF DR. SA'ADOUN HAMMADI, THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF IRAQ BEFORE THE SECURITY COUNCIL.

On 5 April 1979 the President of the United Nations Security Council, Mr. Waldhauser, extended to the Government of Iraq a telegram of congratulations on the occasion of the declaration of the Islamic Republic of Iran. In that telegram our President expressed, on behalf of the people and Government of Iraq and on his own behalf, "sincerest congratulations" to Khomeini and the

"neighbourly and friendly people of Iran, hoping that the new republican regime will open wider opportunities to serve the friendly Iranian peoples in a manner that promotes Iran's role in the service of peace and justice in the world and forges the strongest relations of friendship with the Arab countries in general and Iraq in particular."

To that telegram we received two answers from Khomeini—a nice one, through the Ministry of Foreign Affairs, and another one published by the Pars News Agency and some newspapers between 19 and 21 April 1979, expressing an entirely different attitude in a hostile tone and with improper language. So we pursued the matter through diplomatic channels to seek clarification. We were told by Prime Minister Bazargan and Foreign Minister Yazdi that the former telegram was the official one and that an investigation would be carried out to find out how the second version appeared. We considered the matter settled, although the outcome of that investigation was not communicated to us and we did not see any official correction in the Iranian press later on.

Despite that unhappy incident we continued our official contacts. My Government addressed to the Bazargan Government a note in which it expressed its earnest intention to establish the closest fraternal

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The Iranian Government and its representatives claim that since the Islamic Republic was established in Iran my Government has adopted a hostile attitude towards the new regime. That allegation is utterly baseless. Khomeini was given refuge in Iraq for about 15 years, and he was given full-scale moral and material support for over seven years. Iraq welcomed the new regime from the very early days, in every sense.

On 5 April 1979 the President of the Republic of Iraq addressed to Khomeini a telegram of congratulations on the occasion of the declaration of the Islamic Republic. In that telegram our President expressed, on behalf of the people and Government of Iraq and on his own behalf, "sincerest congratulations" to Khomeini and the

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ties and co-operative relations with neighbouring peoples and countries, especially with Iran, on the basis of respect for sovereignty, non-interference in internal affairs and respect for the legitimate aspirations of peoples in accordance with principles they have chosen of their own free will. The note also expressed the view that Iraq had a special view on relations between the people of Iraq and the neighbouring peoples of Iran and Turkey, for those peoples were not merely neighbours but brothers with which the Arab nation in general and the Iraqi people in particular were related by old Islamic ties and a common history stretching over hundreds of years. In addition, the people of Iraq, which had struggled for years against colonial domination, corrupt monarchy and exploitation, had achieved their victory through the revolution of 17 July 1968 led by the Arab Ba'ath Socialist Party. Hence the people of Iraq looked with sympathy upon and supported the struggle waged by the friendly and neighbourly Iranian peoples for freedom, justice and progress. It felt joy and pride when the Iranian people achieved victory in those respects. In the same tone, in the note similar satisfaction was expressed regarding the statements and positions of Prime Minister Bazargan which emphasized the Islamic character of some of the popular trends in Iran, because such had been the principled and practical position of the Arab Ba'ath Socialist Party. Such a trend was considered by Iraq an important positive transformation in the region which would contribute to promoting its independence and development. Finally, the note went on to express Iraq's sincere hope for prosperity for the friendly and neighbourly Iranian people and for strong relations of fruitful co-operation between Iraq and Iran of a kind that would promote common bonds, serving the mutual interests of both countries and strengthening freedom, peace and stability in the region.

Later on my Government extended an invitation to Prime Minister Bazargan to visit Iraq and discuss bilateral relations and bases for mutual co-operation. The same invitation was renewed by the Iraqi Vice-President of the Revolutionary Command Council during the month of Ramadan—in July and August 1979—in a telegram on the religious occasion. I should say for the record that Mr. Bazargan was also co-operative and tried to strengthen relations between the two countries.

Even after our relations became tense, the President of the Republic of Iraq, in two meetings with Mr. Yazdi in Havana last year, clearly expressed his willingness to meet with the Iranian leaders at the highest level to resolve our differences peacefully. I reaffirmed the same thing to Mr. Yazdi when I met with him last year here at the United Nations. Minister Yazdi said that they would consider the matter in Tehran—but nothing happened.

Now let us ask: what was the outcome of all those efforts—which surely cannot by any criterion be considered to be hostile?

Prime Minister Bazargan resigned, and with him went Foreign Minister Yazdi. So the arena was left free for Khomeini and his followers. At that time, Khomeini reached the point of unmasking the true intentions of his Islamic revolution, by deciding to export it to Iraq and the Arab Gulf region. Under his auspices, and with his blessings, a meeting was held at Qom of the leaders of the reactionary and sectarian al-Da'awa Party—which means the "Call Party". The decision was reached to overthrow our Government through subversion, sabotage and terrorism by the so-called Jondi el Imam—that is, the Imam's Soldiers, meaning the militants of the al-Da'awa Party. The idea was that after enough terror had reigned in Iraq to destabilize its Government, then a popular uprising would bring it down. Here Khomeini was obviously thinking that what he had achieved in Iran could be secured in Iraq as well.

The task of the so-called Jondi el Imam—the Imam's Soldiers—was carried out by Iranian infiltrators and residents in Iraq as well as by first-generation Iraqi of Iranian origin. We witnessed all over our country, and particularly in the central and southern parts, acts of sabotage and terrorism of mounting magnitude. Such acts were committed at al-Thawra and Khadhumain in Baghdad, and in cities like Kerbala, Najaf, Amarah, Basrah and Naserriyah. They consisted of hurling explosive materials on the masses during religious and national occasions, throwing nitric acid in the faces of people attending prayers at mosques, poisoning food and water prepared for the pilgrims to the holy shrines in Kerbala, Najaf and Khadhumain, and the like. At al-Thawra in Baghdad—a heavily populated working-class quarter—the terrorist attack claimed many lives, and a number of Iranian terrorists were caught. The Iranian Ambassador, Mr. Doa'i, met with me personally later to plead for the release of the terrorists, and we responded positively.

All those acts were directed from Qom, as daily instructions were issued to al-Da'awa agents through Khomeini's broadcasting stations from Tehran, Qasr Shirin, Ahwaz, Abadan and Kurdistan. Those stations also issued instructions to manufacture local bombs for use in killing innocent citizens. The Iraqi security forces seized considerable amounts of money, arms, bombs, poisons and explosive materials in the hideouts of the said criminal group.

The most cruel terrorist act was the throwing of bombs at a huge student gathering at the Mustansiriyah University in Baghdad on 1 April 1980, where an attempt was made to assassinate Mr. Tariq Aziz, a member of the Revolutionary Command Council and Deputy Prime Minister. During that terrorist act lives were lost, and many persons were injured. Similarly, bombs were thrown from the Iranian school at Wazriya Street on the funeral procession of those innocent persons who had been murdered in a previous incident, on 5 April 1980, in which some Iranian diplomats took part. In addition, an attempt was made on 12 April 1980 on the life of the Minister of Culture and Information, in front of his Ministry.

In all those incidents, Iranians were caught who fit the description of Jondi el Imam, which I mentioned earlier.

We reacted to those acts of terrorism by expelling Iranian residents from our country. Our action was prompted by reasons of internal security, as no State in the world could be expected to condone acts against its internal security by foreigners residing within it.

It is worth noting that, parallel with the acts I have just described, the Barazni followers—now harboured in and supported by Iran—began to commit similar acts of terrorism in the northern part of our country. In addition, the Khomeini authorities began to prevent the return of Iraqi Kurds from Iran to Iraq, and to persecute any remnants of families—when some members of families had succeeded in returning to their homeland. All those acts were accompanied by a formidable public media propaganda campaign unprecedented in its fanatical and sectarian religious overtones. Iraq, in fact, was not alone in witnessing such acts. Similar actions were attempted in Kuwait, Saudi Arabia, Bahrain and the United Arab Emirates.

Khomeini's scheme through the so-called Islamic revolution was to destabilize the region through inciting religious sectarian strife. We in Iraq refuse such a Medieval ideology. Our concept is secular, and we do not mix together affairs of State and religion. Revolutions cannot be imposed from the outside against the free will of the people. We are bound to stand against Khomeini's theories and practices, in defence of our security, well-being and independence.

The Khomeini authorities accuse us of fomenting civil strife in Iran amongst the national minorities. Those authorities have lost sight of the fact that the Arabs, Kurds, Turkomans and Baluchi, and the other national minorities in Iran, contributed to the national struggle which brought the downfall of the Shah. It was natural, therefore, that those minorities expected the so-called Islamic revolution to grant them their national rights. Iraq has nothing to do with their renewed struggle to achieve their national aspirations. Why should we? When inherent hostility could we possibly have had towards Iran or the Iranian peoples, or Khomeini's for that matter, had it not been for the most dangerous of all forms of interference in our internal affairs?

Iraq has placed before the Council, in document S/9323, dated 11 July 1969, some historical facts and details regarding the legal status of the Iraqi-Iranian border up to 1969. That document will be brought up to date and presented to the Council in order to show that the policy of territorial expansion is a cardinal policy of successive Iranian Governments. That policy has always followed the same pattern: first, an Iranian allegation; then, a denial of legal obligations, to be followed by a new legal instrument designed to secure a territorial gain for Iran; then the same sequence repeating itself.

The Algiers Agreement of 6 March 1975 was no exception to that pattern. The political situation in our region during the period prior to that date witnessed the emergence of the Shah in Iran as the policeman of the region. The expansionist plans and pretensions of the Shah were met by us with a firm adherence to sovereignty, full independence and non-interference in the internal affairs of State. Neither ideologically nor pragmatically did we fit into the picture; hence the reactionary rebellion of Barazani was adopted as the means for a solution.

The idea was to disrupt our national unity in order to overcome our resistance. The Shah provided huge quantities of sophisticated armaments to Barazani. The Iranian army gave important logistical support to the rebellion. Israel for its part armed and trained Kurdish rebels under Barazani from 1965 to 1975, and also provided them with instructors. This was reported by *The New York Times* of 29 September 1980, which published a report on the disclosure of what it termed as the "tightly suppressed secret" by Menachem Begin on the date just mentioned. The report indicates that the Israeli assistance started under Eshkol and grew under Golda Meir and Rabin and that the last Israeli instructor left when Barazani was evacuated in 1975. While our people were valiantly fighting against the rebellion a new factor emerged in relation to the balance of the military situation, namely the October 1973 war. With a view to creating the appropriate conditions that would enable us to participate in that battle together with our Arab brethren, my Government decided to seek a political settlement with Iran through peaceful means. Consequently, when the late President of Algeria, Houari Boumedienne, offered to mediate, we accepted.

Against that political background the Algiers Agreement was negotiated and concluded in the form of a package deal. It had both political and juridical aspects. The spirit of the Agreement was that the parties decided "in all sincerity" to conclude it with a view to reaching "a final and permanent solution to all the problems existing between their two countries", and that the arrangements agreed upon were "in application of the principles of territorial integrity and inviolability of borders and non-interference in internal affairs". The elements of the package deal were the definitive demarcation of land frontiers on the basis of legal agreements between the two countries; the delimitation of water frontiers in the Shatt-al-Arab according to the Thalweg line; the restoration of security and mutual trust along the common boundaries and the commitment to exercise a strict and effective control over them with a view to putting an end to all acts of infiltration of a subversive character, no matter where they originated. The most fundamental obligation which the two parties assumed and which indicated the package deal nature of the Agreement was paragraph (4) thereof, in which the parties considered the three elements just mentioned as "integral elements of a comprehensive solution and, hence, any impairment of any of their components shall naturally be contrary to the spirit of the Agreement".

In order to translate those arrangements into more concrete instruments a joint Iraqi-Iranian Ministerial Commission was established in which Algeria participated and a Treaty of International Frontiers and Good-Neighbourliness, along with three Protocols and Annexes, were signed in Baghdad on 13 June 1975. In that connection it is worth noting that article (4) of the Treaty on International Frontiers and Good-Neighbourliness explicitly consecrated the package deal nature of the Algiers Agreement.

Upon the coming into force of the Frontiers Treaty Iran acquired sovereignty over half of the Shatt-al-Arab, hence securing an early advantage. In return Iraq did not receive the land areas that Iran had trespassed on contrary to its international obligations. This was the situation when the Shah was toppled from power. Upon the installation of the new regime in Tehran, the Government of Iraq saw fit to allow the new Government a period of grace before pressing for the completion of the process of the return of areas belonging to Iraq.

Notwithstanding Iraq's positive attitude towards the changes in Iran, Tehran's new rulers soon revealed their enmity towards Iraq through their official pronouncements and information media. They began to display Iran's renewed intentions of territorial ambitions and aggressive expansionism.

I should like to quote here a few examples of the scores of statements made by high-ranking Iranian officials and directed against Iraq and the Arab countries.

On 21 March 1980, in a statement delivered by Khomeini's son, on behalf of his father, he declared that:

"We must do our utmost to export our revolution to other parts of the world and renounce the concept of keeping the revolution within our own boundaries".

On 3 April 1980, Ghotbzadeh, then the Foreign Minister of Iran, declared that Aden and Baghdad belonged to Iraq; on 9 April he further added that his Government had decided to overthrow the Iraqi

Government. Bani Sadr, the President of Iran, in an interview with *Al-Nahar Al-Arabi Wal Dawli*, in its issue 151 of 24 March 1980, stated that Iran would not evacuate nor return the three Arab islands it had occupied by force in 1971 and that the Arab States of the United Arab Emirates, Qatar, Oman, Kuwait and Saudi Arabia were not independent States.

Khomeini was quoted in the *Jumhuri Islami* dated 19 April 1980 as saying that "the Iraqi people should liberate itself from the claws of the enemy; it is the duty of the Iraqi people and army to turn against this un-Islamic party in Iraq". In an interview with Radio Monte Carlo on 30 April Ghotbzadeh denied the Arabs the right to reclaim the three islands of Abu Musa and Lesser Tunbs in the Arabian Gulf, because he said, all the countries around the Gulf are historically part of Iranian territory. In an interview in the *Al Khaleej* newspaper of 1 May Ghotbzadeh was asked whether he did not consider Khomeini's statement to the effect that if Iraq continued in its policies he, Khomeini, would go to Baghdad to liberate the Iraqi people as interference in the internal affairs of Iraq. Ghotbzadeh replied:

"This could not be considered as interference in Iraq's affairs since we consider the Islamic nation as one, and the Imam (Khomeini) is a religious leader; he is thus a leader for the Iraqi people and all Islamic peoples; as he feels responsible for Iran, so he feels responsibility towards Iraq".

In addition, the present Iranian Government committed another grave violation of the Algiers Agreement. While the said Agreement enjoined Iran to restore security and trust along its common boundaries with Iraq, and to exercise strict and effective control for the purpose of putting an end to all infiltrations of a subversive character, the Iranian Government openly violated this fundamental obligation. It brought over and offered refuge in Iran to the remnants of the former rebels against Iraq, namely, the sons of Barzani and his followers.

With the explicit support of the ruling authorities in Iran, those groups used Iranian territory as a base for threatening and interfering in the internal security and national integrity of Iraq. Repeated Iraqi demands for the return of Iraqi lands were not only frustrated but also met by new territorial claims, as I have indicated.

Unlike the Ayatollah Khomeini, Iraq still has faith in this International Organization. Iraq has, in fact, twice brought complaints against Iran before this Council. The first was in 1971 when Iran occupied by force the three strategic Arab islands in the Arabian Gulf, and that complaint was brought on behalf of the Sheikdom of Ras al-Khaima. It is sad to have to state that the failure of the Security Council to effect Iranian withdrawal from the occupied islands served to encourage the Shah and his successors to pursue their dream of establishing Persian hegemony over the whole of the Arabian Gulf.

Iraq's second complaint before this Council was made in 1974 after Iranian acts of aggression committed across the same borders as are the cause of the present conflict. Again United Nations mediation failed to stop Iranian expansionist ambitions and Iran engaged, as I have already stated, in blatant military interference in northern Iraq.

The prelude to the present conflict was not limited to what I have mentioned so far. There were not less than 57 violations of Iraqi air space by Iranian military aircraft between the period 23 February 1979 to 28 May 1980. In addition to the repeated Iranian artillery fire in Iraqi territories and border police posts, there were more than 15 intensive Iranian bombardments between 26 August 1979 and 3 June 1980. Most of the bombardments originated from the Iraqi lands withheld by Iran, namely, Zain al Qaws, Saif Sa'ad and Maimak. Iraqi and foreign vessels navigating the Shatt-al-Arab were often subjected to attacks by Iran. All those incidents and violations were the subject of numerous official notes delivered to the Iranian Foreign Ministry and the Iranian Embassy in Baghdad, to which no Iranian replies were received.

Declarations were made in official circles in Iran that Iran no longer considered itself bound by the Algiers Agreement. On 19 June 1979 Mr. Sadiq Tabatabai, the political assistant to the Iranian Ministry of the Interior, said that Iran did not implement the Algiers Agreement. In a statement broadcast by Iran's television network on 15 September 1980 General Falahi, Deputy Joint Chief of Staff of the Iranian Army, said that Iran did not recognize the Algiers Agreement and that the areas of Zaim Al Qaws and Saif Sa'ad were Iranian, as was Shatt-al-Arab. The latest statement was that of President Bani-Sadr himself. He was

reported by Tehran Radio on 17 September 1980 to have said the following to the French news agency:

"On the political plane, Iran has not fulfilled the Algiers Agreement signed with Iraq in 1975. . . . The Shah regime itself did not fulfill it".

All our persistent efforts through diplomatic and political channels to persuade Iran to fulfill its obligations were in vain. Consequently we were left with no choice but to reassert our rights under international law by taking possession of our lands. In response to the intention of the Iranian Government, which it had made clear by word and deed, to terminate the Algiers Agreement of 6 March 1975, my Government decided to consider the said Agreement as terminated on the grounds of the provisions of paragraph (4) thereof, to which I referred earlier.

In announcing that decision we strongly emphasized that we had no territorial ambitions in Iran. Furthermore, we openly declared that we had no intention whatsoever of waging war on Iran or extending the scope of the conflict beyond the limits of defending our sovereignty and legitimate rights.

The response of the Government of Iran to this legitimate position was to escalate the situation to total war through indiscriminate hostile acts involving the use of force against Iraqi and foreign vessels in Shatt-al-Arab. Iran started bombing civilian centres and economic establishments inside our country. Consequently, my Government was left with no choice but to direct preventive strikes against military targets in Iran. There was, to borrow from a well-known case, "a necessity of self-defence, instant, overwhelming, leaving no choice of means and no moment of deliberations" (*The Caroline*, 1837). In taking those actions my Government clearly and openly declared that Iranian civilian targets would not be the object of military strikes unless Iran continued to strike at such targets in Iraq. Thus, our actions involve "nothing unreasonable or excessive, since the act justified by the necessity of self-defence must be limited by that necessity and kept clearly within it" (*ibid*).

Iraq does not stand for war, nor does it believe in the use of force in international relations. Iraq, as its record proves, and particularly in its frontier relations with Iran, has always adhered strictly and honourably to the letter and the spirit of its international commitments. But at the same time Iraq does not accept any form of threat or aggression against its sovereignty and dignity and we are ready to make all the sacrifices necessary for the preservation of our legitimate rights and vital interests.

Concern has been expressed regarding the repercussions of the recent events on the world economic interests which might be adversely affected. Let me point out at once that Iraq is keen to protect within the limits of its ability the economic interests of other nations. Any attempt to widen the character and scope of our problem with Iran would endanger the situation. Such an attitude would invite further foreign intervention in our part of the world, which we earnestly want to keep outside the sphere of influence and rivalry of the big Powers, in the interest of international peace and security and world economic prosperity.

It is well known to the Council and the International community as a whole that Iraq has responded favourably and positively to the various appeals addressed to it and the efforts made to stop the fighting and move towards a peaceful settlement of the present conflict. We have co-operated with the Security Council from the outset and have participated in its deliberations. Our response to this Council's resolution 479 (1980) of 28 September 1980 was prompt and positive; our President informed the Secretary-General on 29 September 1980 that

"We naturally accept the above-mentioned resolution . . . and declare our readiness to abide by it if the Iranian side does likewise". (*S/14203, annex*)
and that

"We hope that the Security Council will take the necessary measures to urge the Iranian side to abide by that resolution". (*ibid*)

Iran officially rejected the call of the Council. Moreover, in response to the goodwill mission undertaken by the President of Pakistan and Secretary-General of the Islamic Conference, we offered a unilateral cease-fire from 5 to 8 October, which actually went into effect at dawn on 5 October. Iran's response was a large-scale attack on land and sea and in the air.

I should like finally to reaffirm before the Council that Iraq does not stand for the use of force in international relations. We firmly believe in the peaceful settlement of disputes. We fully realize that as a developing country we need to utilize all our energies and resources for social and economic development. But at the same time we cannot remain idle in the face of any encroachment upon our legitimate sovereign rights in the totality of our territories, or upon our security, peace and well-being.